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COOKE'S PEAK — PASARON POR AQUI

A FOCUS ON UNITED STATES HISTORY IN SOUTHWESTERN NEW MEXICO

Donald Howard Couchman

CULTURAL RESOURCES NO. 7, 1990

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BLM-NM-GT-90-036-4331

COOKE'S PEAK - PASARON POR AQUI

A Focus on United States History in Southwestern New Mexico

By Donald Howard Couchman

1990

Bureau of Land Management
Las Cruces District
Mimbres Resource Area
Las Cruces, New Mexico

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Cooke's Peak - Pasaron Por Aqui, by Donald Howard Couchman, was prepared in partial fulfillment of the Masters of Arts degree from New Mexico State University and published by the Bureau of Land Management, New Mexico State Office, with the written permission of Mr. Couchman.

First Printing

10 9 8 7 6 5 4 3 2 1

ISBN-1-878178-08-3

Forward

New Mexico's rich legacy of prehistoric archeological ruins is well known to the American public. Tourism and related businesses in the state already employ more workers than any other industry. Visitors to New Mexico are drawn to such well known prehistoric ruins as Bandelier National Monument and Chaco Culture National Historical Park and its outlier communities. The dry climate and sparse population that have contributed to the preservation of prehistoric sites have also helped protect the physical remains of adobe forts and the historic trails which connected them.

Large numbers of historic trails crossed New Mexico in the 19th century. An extensive system of military forts was positioned along these travel routes to protect settlers and traders and guard precious water sources. Ft. Cummings was among the thirty major military forts established in the mid-1800s and it played an important role in military campaigns against Indian tribes. As part of an interconnected system of military forts in the Southwest, it contributed to the settlement and economic development of the American frontier.

The New Mexico Bureau of Land Management is placing renewed emphasis on the management of historic sites. The following actions represent only some of the steps taken to improve the protection, management, and interpretation on this important property. A cooperative management agreement between the Luna County Historical Society, the Hyatt family (who own part of the fort), and the BLM provided for patrolling and monitoring of the property by volunteers. Another agreement with New Mexico State University has led to a very successful archeological field school. Under the direction of Dr. Staski, students are digging for clues to answer questions about social stratification and 19th century economic networks. A comparative study of the results of these excavations and those at Ft. Fillmore may soon be released in this cultural resource publication series. Interpretive signs and protective fencing have been erected. Volunteer Boy Scouts acting in accordance with direction from the historic architect from the State Historic Preservation Office partially restored the spring house at the fort. Cultural Resource Management Plans completed for Ft. Cummings and the Butterfield Stage Route have developed systematic plans for managing and interpreting these properties in the future.

Improving the interpretation of cultural resources for the enjoyment and education of the American public is part of the BLM program, *Adventures in the Past*. This program provides a chance to raise the public's awareness of the irreplaceable and fragile nature of cultural resources. By interpreting sites such as Ft. Cummings, we hope to promote a conservation ethic to reduce vandalism of cultural resources. Such a program can only succeed if it is able to build partnerships with State and local governments, educational institutions, professional societies, local historical groups, and the private sector. The Mimbres Resource Area archeologist, Michael Mallouf, is to be commended for supporting this program and for seeking out opportunities to develop partnerships and cooperative efforts to improve the management of Ft. Cummings. Just one example of this effort is this publication, a Master's Thesis by Donald Couchman, who has volunteered countless hours to assist the BLM in better documenting the history of the Ft. Cummings' region.

We hope our readers will enjoy this account of local historical developments in the Cooke's Peak region. The BLM in New Mexico will continue to expand opportunities for the public to visit and explore our unique historical resources. They stand as mute testimony to the struggles, failures, and perseverance of those who came before, those who *pasaron por aqui*.

LouAnn Jacobson
Stephen L. Fosberg
Series Editors
Santa Fe, New Mexico
August 1990

Acknowledgments

No man is an island and the preparation of this manuscript has reinforced that perception. Without the understanding and assistance of many people, several of whom will go unnamed, this effort would not have been feasible.

I would especially like to thank Tim Read of the Bureau of Land Management (BLM) for suggesting the development of an audio-visual program that led to the project, and Dr. Stanley Nelson Roscoe, full-time friend and part-time employer, for providing encouragement, assistance, and the financial resources to make the entire effort possible. A special thanks also to Larry Woodard, BLM State Director, and his staff at Santa Fe and Las Cruces for the encouragement to publish the manuscript and significant assistance in doing so.

Appreciation is also noted for assistance from Dr. Darlis A. Miller, Dr. Monroe L. Billington, Dr. Miles W. Campbell, and Dr. Jeffrey P. Brown of New Mexico State University, Las Cruces (NMSU). Dr. Myra Ellen Jenkins, retired New Mexico State Archivist; Austin Hoover, Archivist for the NMSU Rio Grande Collection; Louis Corl for exacting critiques; Lee and Christine Myers for sharing knowledge of Territorial military activities; Ruth Brown, Lee Judkins, and others of the Deming-Luna County Mimbres Museum; John P. Wilson, author and historian for transcribing military recoreds; Thomas K. Todsen for Territorial postal data; Elizabeth Hyatt for her ranching stories, and Leedrue Hyatt for tolerating the many intrusions; Rick Sinars for understanding an out-of-towner's need for a computer; Dr. Stanley B. Kimball, Grant Eastwood, and Richard W. Crawford for sharing resources dealing with the Mormons. Thanks are due also the staff members of various Mormon institutional libraries especially Grant A. Anderson and Leda Farley, and to many other archive librarians near and far such as Patricia A. Etter.

A very special thanks to Darlene, my wife and field trip partner, for timely suggestions, critical observations, and painstaking editing, who suffered the long, late, and occasionally frustrating hours while keeping the dream alive.

To those who read these pages, I am responsible for any and all errors that may have crept in. Any new information and challenges will be gratefully accepted and evaluated, especially if accompanied by specific references to generally available literature.

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Abstract

The emphasis of this work is on the area around Cooke's Peak and the exceptional water resource near its base during the "American Frontier Period" (1846-1890). The Prehistoric Mimbres had made use of the area earlier while twentieth-century miners, ranchers, and military trainees from both world wars came later. However, only overviews of these earlier and later times are provided.

This area is presented as a focal point around which pivoted the consummation of Manifest Destiny, the development of California, and the settlement of the Southwest. The activities and incidents within the study area are blended into the overall picture of cause and effect in regard to broader geographical, social, and political maturation.

The Mormon Battalion, forty-niners, and earliest emigrant trains to the Pacific Coast are quickly followed by herds of Texas longhorns and massive flocks of New Mexico sheep. Rekindled international conflict over the new boundary is narrowly avoided by a fresh agreement and the Gadsden Purchase. Soon freighters follow and, in response to intense California lobbying, the road is improved and government subsidized mail service inaugurated.

Indian unrest precedes and follows the great upheaval in the Southwest due to regional involvement in the Civil War. Military posts, established to protect the Southern Overland Route, are temporarily abandoned during the fratricidal conflict and the Apaches defy the Confederate and Union forces in their serial attempts to reassert American control. The extension of the railroad and establishment of a final peace with the Apaches serve as preludes to the closing of the old frontier and permanent abandonment of much of the old road and its associated military and civilian installations.

The story is told not only in the activities of the greats such as Philip St. George Cooke and Mangas Coloradas or in the accomplishments of the near greats, for example, George Giddings and Colonel James Forsyth. It is also told in the lives of more common folk, whose contributions have usually not been recognized such as John Cremony, Cuchillo Negro, and John Strentzel and his wife Louisiana.

For many years, during the American Frontier Period, the focal area remains devoid of long-term residents and functions only as a year-round travel, communication, and supply route. As time progresses, areas around the spring and high up on the mountain become temporarily populated. With only a sprinkling of civilians supporting travel along the road, the spring area maintains a military aura while a few miles away, the miners develop a more complete community. And, as the people cluster around the peak, the final story draws increasingly tighter, focusing on their lives.

It is the blending of these many personalities and the difficulties that they faced, not always successfully, that makes the story truly a cross-section of Americana. Some of the characters are heroes, some are villains, and still others' roles are not so clearly defined as they drift in the gray area separating good from evil. They all, however, in one way or another, play a role in the settlement of the Southwestern and Western United States and the realization of American Manifest Destiny.

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Introduction

A few miles north of Deming in southwestern New Mexico, a giant granite monolith thrusts 8,404 feet into the air. Standing Mountain, as the Apaches called it, rises fully two-thirds of a mile above the surrounding plains and dominates the landscape for miles around. During the latter half of the sixteenth century the Spanish named this mountain Picacho de las Mimbres, after the lost river nearby. In 1846 the Americans, forging westward in the opening phases of the Mexican War, renamed it Cooke's Peak for Lieutenant Colonel Philip St. George Cooke, the United States Army leader of the Mormon Battalion volunteers. This lonely sentinel stands vigilant over a modest but dependable water source that for eons has been the necessary focal point of many cultures in their travels, subsistence, and survival (Figure 1).

Water has always been **the** primary necessity for mankind's survival, and access to it, in sufficient and reliable quantities, defines the limits to which mankind can penetrate any remote frontier, earthbound or not. For the traveler, especially in the early southwestern United States, the second most important ingredient was available forage for stock. Combustible resources and edible game place a distant third and fourth on the list of priorities. The dependable source of surface water at the foot of Cooke's Peak was the sole reason that people passed through this area or temporarily occupied nearby locations. Without the existence of this spring, the development of the southwestern United States would have been assuredly delayed and perhaps would have greatly altered the course of history.

The emphasis of this research was placed on the American far west frontier period (1846-1890); however, overviews of earlier and later periods were incorporated. Few people permanently left their mark on the land here. No settlements survived, and few installations, either civilian or military, modern or ancient, remain to mar the natural ruggedness of this southwestern desert terrain. The earliest people left no records, except for their engravings on the naked rocks, a few pottery sherds, and their graves.

Many of the later travelers saw Cooke's Spring as only a welcome overnight resting place, or at most a two-day layover to recruit their stock and prepare for the next arduous leg of a long and frequently dangerous journey. The travelers' time spent within the Cooke's Peak area was infinitesimal compared with the total required for their treks. Therefore, those people who did record something about the location as they passed through had little to say unless something particularly noteworthy occurred to attach a special meaning or create a strong recollection for the event such as an Indian attack or finding sufficient water for thirst-crazed stock.

The most consistent occupancy of the area in more recent times was by United States military forces and miners; however, this effort does not dwell extensively on either of these facets, because a study of Fort Cummings could, and should, be the subject of a separate and more specifically focused work, as should the mining efforts nearby. This effort depicts the Cooke's Peak area, not as a bleak and barren element of nature but as perceived through the senses of the people who passed nearby. They characterized many diverse social factions: emigrants (and immigrants) searching for a new start; forty-niners blinded by the sun-bright lure of golden treasure; soldiers, mounted and on foot, White, Black, and Red; peaceful, skulking, and marauding Indians; drovers, herders, ranchers, freighters, robbers, and stagecoach drivers; the strong and the weak, the good and the bad. From this aspect then, emerges the title: "Cooke's Peak – Pasaron Por Aqui (They Passed by Here)."

This area was a focal point around which the consummation of United States Manifest Destiny pivoted, and the narrow, rugged road established through Cooke's Canyon served first as an exploratory bilateral tendril offering tenuous political and economic nourishment between the established East and the fledgling West. Later it was the necessary umbilical through which the gold-seekers and westering emigrants were literally fed by the hazardous efforts of countless freighters, cattle drovers, and sheep herders.

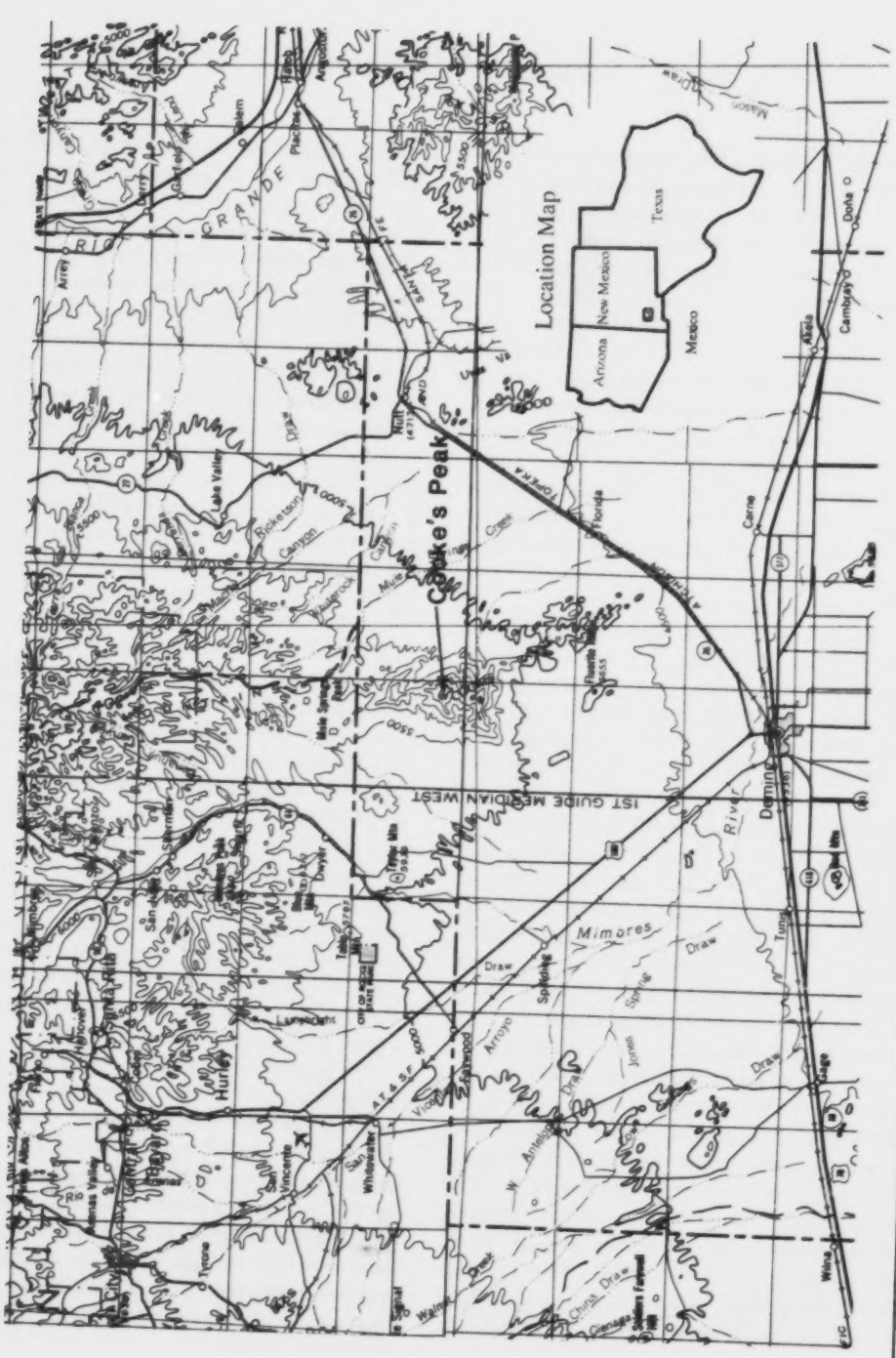


Figure 1. Cooke's Peak area.

This old road, first marked for the United States by the Army of the West's Mormon Battalion, was later improved and significantly shortened. It survived virtually unchanged by a dozen decades of weather, and a few modern vehicles, until late in 1984 when a two-week period of intense thunderstorms forever altered significant portions. Still, much of this road, known by many names, continues to survive better than the few historic edifices nearby.[1]

The area around Cooke's Peak is nearly deserted, as it has mostly been throughout time, except for a few scattered ranches and an occasional hunter or camper. The solitude is fitting because many people, White, Brown, Red, and Black, have breathed out their last moments on earth near here.

The mining town of Cooks high on the eastern slope of the mountain, the Indian ruins close by the spring and at the western end of the canyon, and the Butterfield Station on Cemetery Ridge have suffered greatly from the ravages of time and treasure hunters. Most vulnerable of all, however, Fort Cummings (Figure 2) continues to sink back into the dirt from which it was constructed. This old military installation has suffered as Paul Horgan predicted of fictional Fort Delivery:

> *One day soon the last few men would leave the post, and the quadrangle would be empty to the workings of the desert. The Mexican winds, the rain when it finally came in season, would take off the shoulders of the buildings. Settlers far away might think it worth while to come for timber and whatever metal might be had. Topless doors would lead nowhere. Floors open to the sky would rise up gradually in the corners of rooms, and grasses would spring up. The walls would fall unevenly and at long intervals. Little mounds would remain where houses stood and then melt away into the flat desert. Made of dust, they would surrender to dust. Old wagon ruts would hold longest, coming nowhere.*[2]

Nevertheless, the spring and the road were vital links in the occupation, settlement, and development of the United States. The realization of Pacific coastal ports for Oriental trade and ultimate Manifest Destiny was greatly enhanced by those who claimed "pasaron por aqui" or they passed by here. The author, too, can claim "paso por aqui," and it is an earnest desire that the many contacts established and presentations delivered during the preparation of this manuscript will have served in some small way to further the preservation efforts necessary to save this area and the associated artifacts that represent such an important contribution to the development of our country.

Figure 2. Fort Cummings today. Photo by the Author.

Endnotes - Introduction

1. See Appendix A for a list of the different names that have been applied to part or all of the route.

2. Paul Horgan, *A Distant Trumpet* (New York: Farrar, Straus and Cudahy, 1960), p. 482.

Chapter 1

Early Inhabitants: Prehistory to 1845

The area at the southern base of Cooke's Peak has been periodically occupied for millennia. Little if anything remains to show the occupation by the earliest people for their lifestyle did not promote the leaving of many identifiable artifacts. However, other ancient ones, the Mimbres, left adequate examples of their homes, culture, and art as evidence that they occupied several sites close to the water sources existing there.

Following, or perhaps concurrent with, the evacuation or extermination of the Mimbres people as an identifiable entity, the Apaches moved into the area and established a loosely associated culture of small semi-permanent rancherias. It is likely that one or more such settlements were established near the unfailing water supply at Cooke's Spring. Some argue that the Apaches did not arrive until a few hundred years later while others claim, with equal conviction and vehemence, that the Apaches inundated the area twice, as they followed the expansion and contraction of the great buffalo herds. Unfortunately, the Apaches' lifestyle did not leave sufficient remains for a conclusive argument.

Whichever is true, the Apaches had achieved a certain amount of autonomy by the time the Spaniards appeared to alter forever the Indians' lifestyle. Spanish soldiers and clergy, looking for new coffers of gold and souls to win for the crown, clashed with the Apaches in a barbarous struggle for domination that neither side ever won. With the fulfillment of Mexican Independence, little changed. The Apaches either did not recognize the difference because many of the people with whom they had contact did not change, or if there was recognition, it was deemed immaterial as far as they were concerned.

The intrusion of American trappers and miners took place approximately concurrently with the ebb of Spanish influence. These new intruders were not much different than the Spanish or Mexicans in their attitude toward the Indians except they did not (as of yet) come in such large numbers or concern themselves with the salvation of the Indians' souls. In addition, they did not go out of their way to deliberately provoke unnecessary confrontations. It was not long, however, before the American dreamers who remained behind envisioned and coveted an empire from sea to shining sea. Or at least as a start, the independent Republic of Texas.

The Ancient Ones

Since the beginning of time man has sought to leave his permanent mark so that others might understand who he was, a form of immortality. Ancient volcanic boulders of the Southwest bear mute testimony to these efforts by early Indian cultures. Little imagination was required, after viewing some of the images and designs engraved in the rock, to "see" a small dark figure painstakingly pecking at the blackened surface with a fragment of jasper, flint, or obsidian wrapped in a patch of deer skin. Why did these people choose to spend valuable time and energy on something that was apparently not immediately productive? More basic still, who were these people, how did they come to be here, and to where did they disappear?

Centuries before European nations emerged from the chaos there, peoples from Asia crossed the Bering Strait land bridge. They explored and settled the American continents from where the land first widened to Tierra del Fuego.[1] By 10,000 B.C., the Mimbres region was occupied by the descendants of those who had crossed the land bridge from Asia to the Americas. They were skillful hunters of giant bison, mammoths, and other large animals until many species of game became extinct around 5,000 B.C.[2] These people then evolved into hunter-gatherers and subsisted on small game and whatever edible plants they could collect. In the deserts and mountains of the Southwest, they conquered the terrain and elements, first to survive and then slowly to ascend the cultural ladder. At this stage they were

nomadic, did not build substantial houses, and made no pottery.[3]

Some of the descendants of these earliest people, the Cochise Culture, became known as the Mogollon and were distinct from the Anasazi, the Hohokam, and the Casas Grandes cultures.[4] Some sources propose that the Mogollon then evolved into the Mimbres culture, while others are equally adamant that the Mimbres were more clearly a branch of the Mogollon farming culture that generally existed in the vicinity of the Mimbres River Valley.[5] Since the arguments for the latter concept appear more consistent, it is considered to be correct (Figure 3). By about A.D. 200, important changes had occurred. These hunter-gatherers were settling in permanent villages. Now they started to rely primarily on agriculture and began to produce pottery, probably as cooking vessels.[6]

The earliest permanent villages consisted of a few pithouses clustered on high knolls or ridges away from the water sources and arable land. These primitive dwellings were constructed by first digging a circular pit three or more feet deep and then covering the pit with dome-like frames of wood. This framework was then overlaid with sticks and reeds and plastered with a thick layer of mud to create a durable, well-insulated structure.

The cave-like dwellings and petroglyphs located near Massacre Peak were probably from this period or an earlier time because, even though there were earlier records that mentioned finding pottery sherds here, no mention was made of pieces incorporating any design.[7] The sites were established about three-fourths of a mile from Frying Pan Spring, the nearest source of water.

Some authors divide the cultural periods of the Mogollon into four distinct phases, plus a Classic Mimbres phase denoting the culture after a great deal of outside influence. Between A.D. 200 and A.D. 500, the Pine Lawn Phase, the Mimbres population increased slowly but steadily, but the villages remained small, rarely containing more than six or seven pit houses.[8] Their pit houses were shallow and irregularly shaped, their pottery was primitive, and their interments contained few artifacts. The Georgetown Phase spanned the period from A.D. 500 to A.D. 700. These people built small, roughly circular pit houses and embellished their pottery by scoring, incising, or punching. Too few burials have been discovered to gain information about customs. This period was followed by the San Francisco Phase, from A.D. 700 to A.D. 900. The earlier small circular pit houses were replaced by deep rectangular pit houses incorporating a center-pole-supported roof structure. Some painted ceramics were introduced, and broken vessels became a part of the burial ritual. The Three Circle Phase followed and lasted about 50 years. During this short period a black-on-white pottery, which indicated pueblo influence from the north, began to appear. The Three Circle pit houses were shallow and incorporated stone-lined walls and corner-pole roof supports.[9]

The Classic Mimbres Phase of the ancient Mogollon Culture was so called for the Mimbres River where rubble masonry surface structures from this phase were first discovered. This phase lasted from about A.D. 950 or A.D. 1000 to about A.D. 1150 or 1250.[10] The range of habitation (Figure 4) was also very limited.[11] The boundaries indicated may be too severe, because the author has examined sites east of the Rio Grande, in the Three Rivers area, where Mimbres style pottery sherds were evident. In addition, some sources attributed the petroglyphs found near the same area to belong to the Mimbres culture.

A series of major developments began after A.D. 550. The small villages built on high ground were gradually abandoned, and new villages were constructed just above the floodplain along the Mimbres River and adjacent to other water sources. In addition, the practice of interring the dead in the fill of abandoned dwellings was less evident, and the deceased were more frequently buried beneath the floors of pithouses still in use. This practice of burying the dead in occupied dwellings continued until the Mimbres disappeared.[12] It is quite probable that the ancient village located next to Cooke's Spring, called San Miguel by the Spanish, was of this era or later.[13]

In early Mimbres burials, pottery and other offerings were merely placed adjacent to the body. Later a bowl was frequently broken and the sherds scattered throughout the grave. However, by the end of this final period, a small hole was broken or drilled in the bottom of the pottery piece before placing the bowl over the face of the deceased. This practice has been referred to as the "kill hole" in the funerary pieces, and the purpose of this ritual may have been to let the spirit escape. It is to this practice that archaeologists owe some of the most beautiful and

Figure 3. The Mogollon, Anasazi, Hohokam, and Mimbres Ranges.

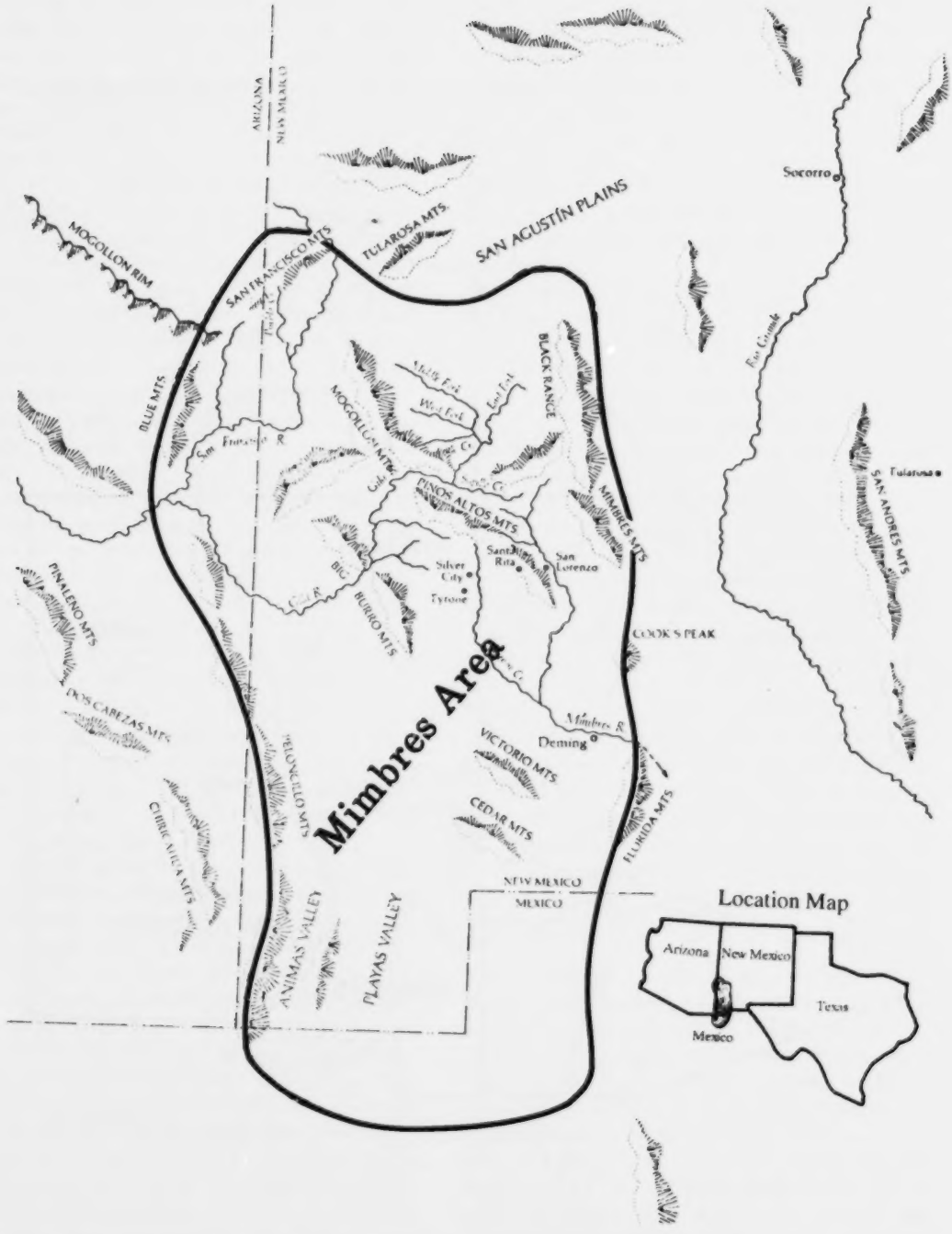


Figure 4. Mimbres culture distribution in the Southwest. Revised from Brody, Scott, and LeBlanc 1983.

interesting pottery ever produced.[14]

Between A.D. 550 and A.D. 1000, the Mimbres population was approximately 1,500 people, an eight-fold increase from their status around A.D. 200. By A.D. 850 the differences in architecture and pottery between the Mimbrenos and their northern neighbors, which had been minor, became quite pronounced. By the end of the Mimbres phase, some villages consisted of as many as 50 houses and were spaced about every 3 miles along the Mimbres River and near other water sources such as Cooke's Spring.

Foremost among these differences was the application of a white slip to all pottery surfaces that were to receive decoration. This feature provided a more brilliant contrast between the applied designs and the background.[15] It was in the field of Black-on-white ware that the ancient Mimbrenos reached an artistic peak that has seldom, if ever, been surpassed in the medium of pottery (Figures 5a and 5b). As a consequence, this period, about A.D. 950 or 1000 to the end of the traceable culture, has been referred to as the Mimbres Classic Period.[16]

Some argue that the designation for this most unusual and beautiful pottery is misleading because the paint is frequently brown or red rather than black, and the background often gray or buff rather than white.[17] Others, however, claim that when the pots were fired too long or too hot the carbon was burned out leaving a residue of iron oxide. The same fault, or perhaps too much oxygen, led to a discoloration of the white slip.[18]

The Mimbres painted their pottery with linear abstract geometric designs and with figures of humans and animals in mythical and representational form. The animals frequently depicted included fish, insects, birds of all kinds, frogs, toads, turtles, and lizards. Most mammals other than man were shown in profile but with all four legs visible.[19] Many of the birds, animals, and insects drawn on their pottery were locally familiar, but some were purely phantoms of the imagination.

Their drawings of fish, however, present a unique question. The Mimbres River springs from high in the mountains just east of the continental divide, about 15 miles north of the town of Mimbres, and dies out in the desert sands just north of Deming. There were probably few if any fish in the Mimbres, and strangely, most of the drawings appear to have been of salt-water fish.[20] It is more than 350 airline miles to the nearest brackish water in the Gulf of California.[21]

The Mimbres usually portrayed humans in either full profile or as seen head-on. Men were more frequent subjects than women and were usually shown in some sort of activity.[22] There were narrative scenes that depicted such activities as men fighting bears, setting snares, dancing, and picking bugs from corn plants. Men were also shown wearing breech cloths while the women were depicted in fringed sashes and sandals or wearing blankets that extended below the waist. The women were shown wearing their hair in whorls on the side much as the unmarried Hopi girls of today.[23]

Figure 5a. Mimbres Black-on-white bowl: turtle with masked face. Photo courtesy of the Museum of New Mexico, #743.

Figure 5b. Mimbres Black-on-white bowl: rabbit and moon. Photo courtesy of the Museum of New Mexico, #41570.

One major question that has remained unanswered is whether the funerary bowls were selected from those already in daily use or made specifically for the burial ritual.[24] Regardless of the details of the practice, the artistic decoration of their pottery, far beyond that of any contemporaries, has served two diametrically opposed purposes. First, as stated, the bowls have given us much of what we know of the daily lives of this culture that has become as lost as the river from which they received their name. Secondly, the beauty and rarity of the painted ware has commanded such high prices that extensive, highly destructive vandalism has nearly destroyed the remains of this culture.

Along with the development of their architecture and pottery, the Mimbres adapted another art form that can be found throughout the prehistoric world. By means of petroglyphs, drawings incised in the bare rocks, the Mimbres have left a more lasting record of their existence than fragile pottery (Figures 6a and 6b). As vandals or uncaring miners have repeatedly proved, these artifacts can also be destroyed. Nevertheless, the rock drawings have proven more durable than any other artifacts in the area.

As with the pottery, the rock drawings have created considerable controversy. The major contention is between those who claim an ability to "read" or interpret the "rock writings" and those who are equally adamant that what exists is merely "rock art." On one facet of the issue there is nearly universal agreement, the rock carvings existing around Cooke's Peak were Mimbres in origin.[25] Indeed, one Bureau of Land Management study calls the Massacre Peak site one of the most significant west of the Rio Grande.[26]

According to archaeologist Polly Schaafsma, Indians have been leaving their incised records for several thousand years, and although the age of the oldest rock art in the Southwest has not been accurately determined, it could safely be claimed to be 2,000 years. She further claims that these images are a valuable component of the archaeological record and a sensitive tool for the identification of cultural relationships, patterns of communication, and evidence of trade.[27]

Schaafsma divides the Jornada Style rock art of the Mogollon, found in the expanded study area, into eastern and western phases on the basis of differences between sites in the Mimbres Valley to the west, which includes three sites near Cooke's Peak, and the Jornada region to the east, primarily east of the Rio Grande, where the figures appear to be more elaborate.[28] According to Schaafsma:

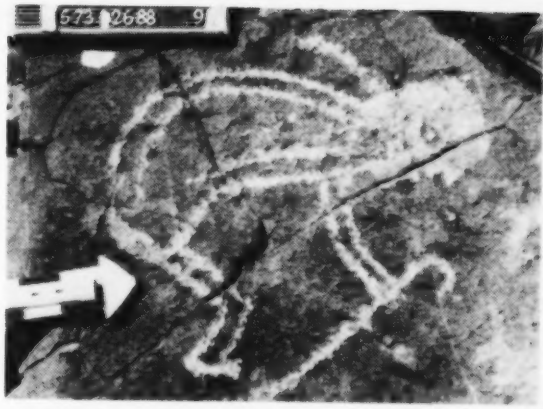


Figure 6a. Kokopelli petroglyph.

Figure 6b. Rattlesnake petroglyph.

> *Knowledge of the western phase of the Jornada Style work is limited to three petroglyph sites on boulders and rock outcrops in the Mimbres Valley and below Cooks [sic] Peak. Some of the more complete anthropomorphic representations from these sites have counterparts on Mimbres ceramics.*[29]

Many abstract and representational expressions of rock art are found within the Cooke's Peak area: cloud terraces with rainbows, Mimbres versions of Mesoamerican gods Tlaloc and Quetzalcoatl, baskets, human and animal tracks, mountain sheep, turtles, tadpoles, fish, rattlesnakes, and lizards.[30]

While several authors claim that rock art is not a form of writing, LaVan Martineau asserts that he has successfully broken the ancient codes by utilizing his

unique talents combining an Indian upbringing, an intimate knowledge of Indian sign language, and military exposure to cryptography. He cautions that even the natural surface of the palette, the cracks, holes, and bumps could be embodied in the fabrication of a symbol.[31]

One of Martineau's most powerful arguments is that sign language is an abstract form of expression, and that Indians familiar with signs could easily use abstract written symbols.[32] He further supported his argument by documenting two works that supposedly had been transcribed from drawings in 1781 and 1836 with the aid of the Indians involved or their descendants.[33] Whichever argument one selects to follow, the fact remains that the carvings are there and will probably outlast any other man-made object near Cooke's Spring.

But, the Mimbres culture did not survive in the fullness of its bloom. Even as the small, dark figures crouched, chipping away at the rock surface, the instrument of their obliteration was slowly approaching. At about A.D. 1150, or a little later, Mimbres society disappeared as an organized and identifiable entity. Some authors argue that this was because of continued environmental exploitation within a small area that taxed the resources to the limit and resulted in widespread famine during successive years of low rainfall and poor harvests.[34]

Furthermore, according to some sources, the Mimbres were supposedly absorbed by their rapidly developing southern neighbors at Casas Grandes in present-day northern Mexico.[35] However, even if the crops were poor, there was still game to be had in the mountains, and there was not sufficient external agricultural encroachment to preclude their temporary dispersement to reduce the adverse environmental impact. Even more telling, there had not reappeared, within any reasonable time, a pottery easily recognized as traceable to the Mimbres.[36] This tends to support the theory that something more sudden, final, and disastrous happened to these ancient people who had called the area around Cooke's Peak home.

The lack of artifacts from the Mimbres culture, outside of the burials, has led many researchers to conclude that their departure from the area was gradual and orderly. Very few items, other than the heavy stone manos and metates, have been recovered.[37] What has failed to be taken into account is that the other cultures, using the same region over a period of several centuries, probably made use of (or collected) any available tools or utensils left behind.

Considering the fact that groups of ancient people had been able to develop peaceably in the country west and north of the Mimbres and Gila areas, clear evidence of intercultural trading, and lack of defensive fortifications before A.D. 1000 support the conclusion that the relationships of these various cultures had been friendly.[38] This narrows the field of reasons for concentration and then abandonment, and we are left with the reasonable probability that the depopulation was due to pressures from outside enemies. Furthermore, because these invaders apparently brought no additions to any of the existing cultures, they were almost assuredly nomadic.

The remarkable people of the Mimbres valley, with no defensive fortifications as a result of centuries without warfare during which Europe was torn by strife and dominated by severe religious persecution, finally faced the onslaught of a fierce and vital enemy.[39] Current reconsideration of the circumstances has led modern researchers to believe that these nomadic enemies were Athapascans, forerunners of the Navajo and Apache tribes of our day.[40] An enigma similar to the origins of the Anasazi, the Hohokam, and the Mogollon people surrounded the migration and entry into the Southwest of the Athapascan people.

Several thousand years after the initial migration, these people also migrated from Asia via the Bering Strait, probably sometime between 1000 B.C. and the time of Christ.[41] Ethnologists are indefinite and at odds regarding the time, reasons, and routes of the Athapascan migration to the Southwest, and not much has been discovered about the Apaches archaeologically because they were evidently more nomadic than sedentary. What is known about them has come mostly from documentary accounts written by non-Indians and from ethnological studies.[42] Their migration routes (Figure 7) can only be conjectured.

Once across the Bering strip, the Athapascans filtered down through western Canada and the northwestern United States and on to the staked plains east of present-day Albuquerque. They came by way of western Nebraska and eastern Colorado and New Mexico. At this point the migration appears to have divided. Many followed the Pecos River southward down to the Big Bend of Texas and northeastern Chihuahua, Mexico, where they became known as the Lipan Apaches.

The other division turned toward the west around the

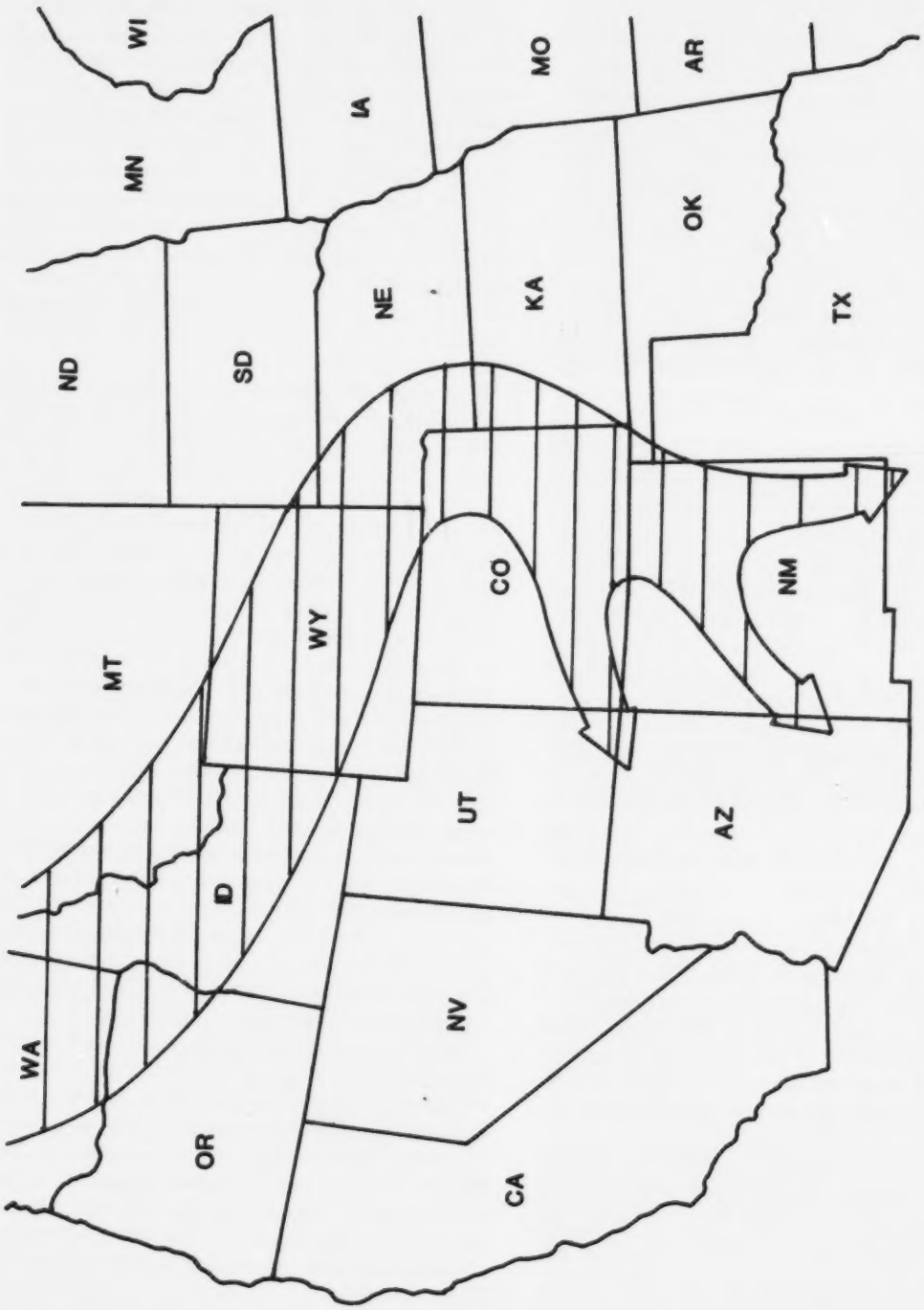


Figure 7. The Athapascan migration route.

southern end of the Manzano Mountains, crossed the Rio Grande, and continued to the Continental Divide near Mount Taylor, following the same route as the Santa Fe Railroad and the famous Highway 66 of many years later. Here the migration again split into two parts. One group proceeded north along the west side of the Jemez Mountains to become the Navajo, and the other drifted south, pushed to the Upper Gila River country, and became the White Mountain, Chiricahua, and Mimbres Apaches.[43]

The totally unprepared Mimbres and other sedentary people to the west and north were called on to meet the thrust of the southern contingent of the Athapascan migration. Actually it made no difference whether the Apaches came down from the north, leaving the Navajo behind to subjugate the farmers on the Plateau, or from the east, leaving the Lipan to clean up western Texas. To the peaceful Mimbres and Cibola people, the Apaches must have seemed to come straight from Hell.[44]

The Mimbres evidently were unable to seek refuge in the Cibola villages immediately to the west, so it was probable that the Apaches had raided them from base camps in the Upper Gila, thereby cutting off any chance of escape in that direction.[45] Apparently some of the villages to the south and east held out the longest, but by about A.D. 1150 or so, it would have been difficult to find a single inhabited site between the San Francisco River and the Rio Grande.

The Mimbres people are gone, seemingly to have vanished, but traces of their culture have survived in the ruins of their homes and artifacts, most notably in their beautiful and unique pottery. Much that we could have learned from their village sites, however, has since been lost to us – torn up, bulldozed, smashed, and looted – by those whose only concern has been to steal the pots and sell them to collectors who asked no questions.[46]

It has been unclear exactly where the Mimbres came from, where they went, and how such simple villagers became such sophisticated artists. However, as for the Apaches, they now moved about freely, wintering on the Rio Grande, or far down into the interior of Mexico, pursuing buffalo on the plains in the summer, always following the sun and the food supply. They owned nothing and everything. They did as they pleased and bowed to no man – at least not yet.

The Iberian Influence

Despite the fact that Alvar Nunez Cabeza de Vaca (Figure 8) did not cross New Mexico in the vicinity of Cooke's Peak in 1536, he nevertheless had a profound influence on the later activities within the Southwest. His tales, and they were just that, of the golden cities inspired several Spanish expeditions to confirm the existence of such fabulous wealth. The missionaries

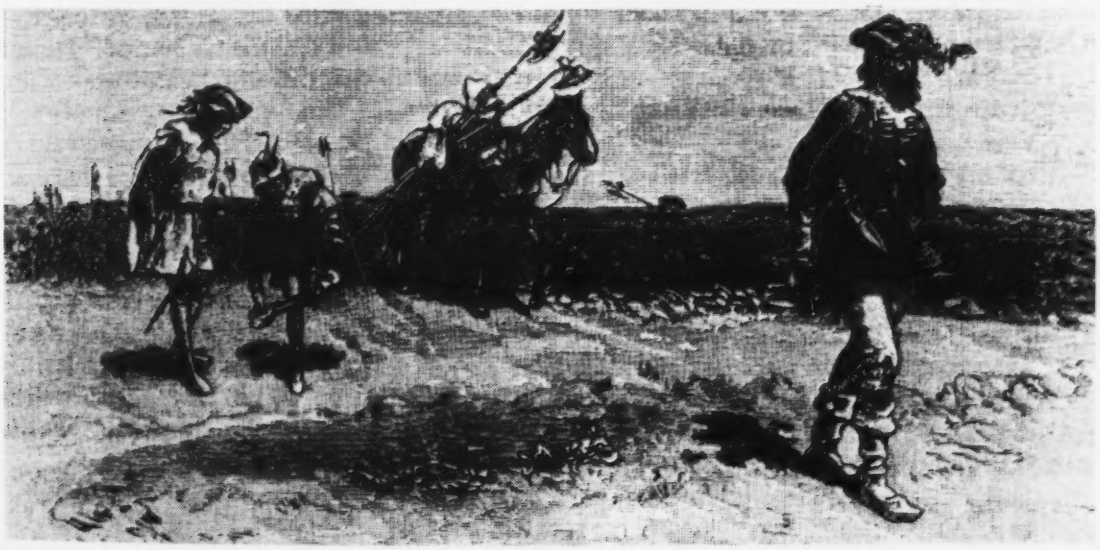


Figure 8. Alvar Nunez Cabeza de Vaca crossing the Great American Desert. Photo courtesy of the Museum of New Mexico, #71390.

who accompanied these expeditions saw that even though there was no gold, there was an ecclesiastical richness to be mined in the souls of "the heathen." The Spaniards then came bent on achieving glory, either for themselves or their God, and for gold.

These sturdy men from the Iberian Peninsula had weapons, tactics, and military precision previously unknown to the Indian. In addition, the Spaniards had the horse that made them highly mobile and devastating in battle. With these awesome weapons in their arsenal, the Spanish had swept across the great cultures of Mexico and Central and South America.[47] Now it was the Apaches' turn to feel their might, and in turn, the Spaniards felt the might of the Apaches.[48]

By 1540, the Spanish, under Francisco Vasquez de Coronado, were ready for their next leap forward in the subjugation of the New World (Figure 9). Their expedition up the west coast of Mexico, into what would be Arizona and New Mexico, was the first by Europeans in the American Southwest. The expedition was a failure, if the original objectives of finding gold or converting the savages were to be used as yardsticks of success, and for the next 55 years Spanish interest in New Mexico and the Southwest was sporadic. Other interests occupied the Spaniards' attention, among them the development of silver discoveries in the central valleys of Mexico. The frontier line was extended ever northward, however, and by 1595 the Spaniards were ready to push a salient into New Mexico. Spanish expedition routes and developed roads (Figure 10) crisscrossed the area.

The Don Juan de Onate expedition left Chihuahua in 1598 with 400 men (130 families), 8 Franciscan priests, Indian and Black slaves, and proceeded across the Mexican desert to the Rio Grande near El Paso del Norte, modern Ciudad Juarez. From there the caravan followed the river north, negotiated a pass near present-day Hatch, which they named Sombre Robledo, and on August 18 they arrived at San Juan, where they founded the first capital of New Mexico, San Juan de los Caballeros.[49] By 1610, Santa Fe had also been settled and was to remain the seat of Spanish (and Mexican) influence until the middle of the nineteenth century. The Spanish, under the guidance of the missionaries, pursued a policy of assimilation, hoping eventually to absorb the Indian into Spanish

Figure 9. Francisco Vasquez de Coronado, from a mural by Gerald Cassidy. Photo courtesy of the Museum of New Mexico, #20206.

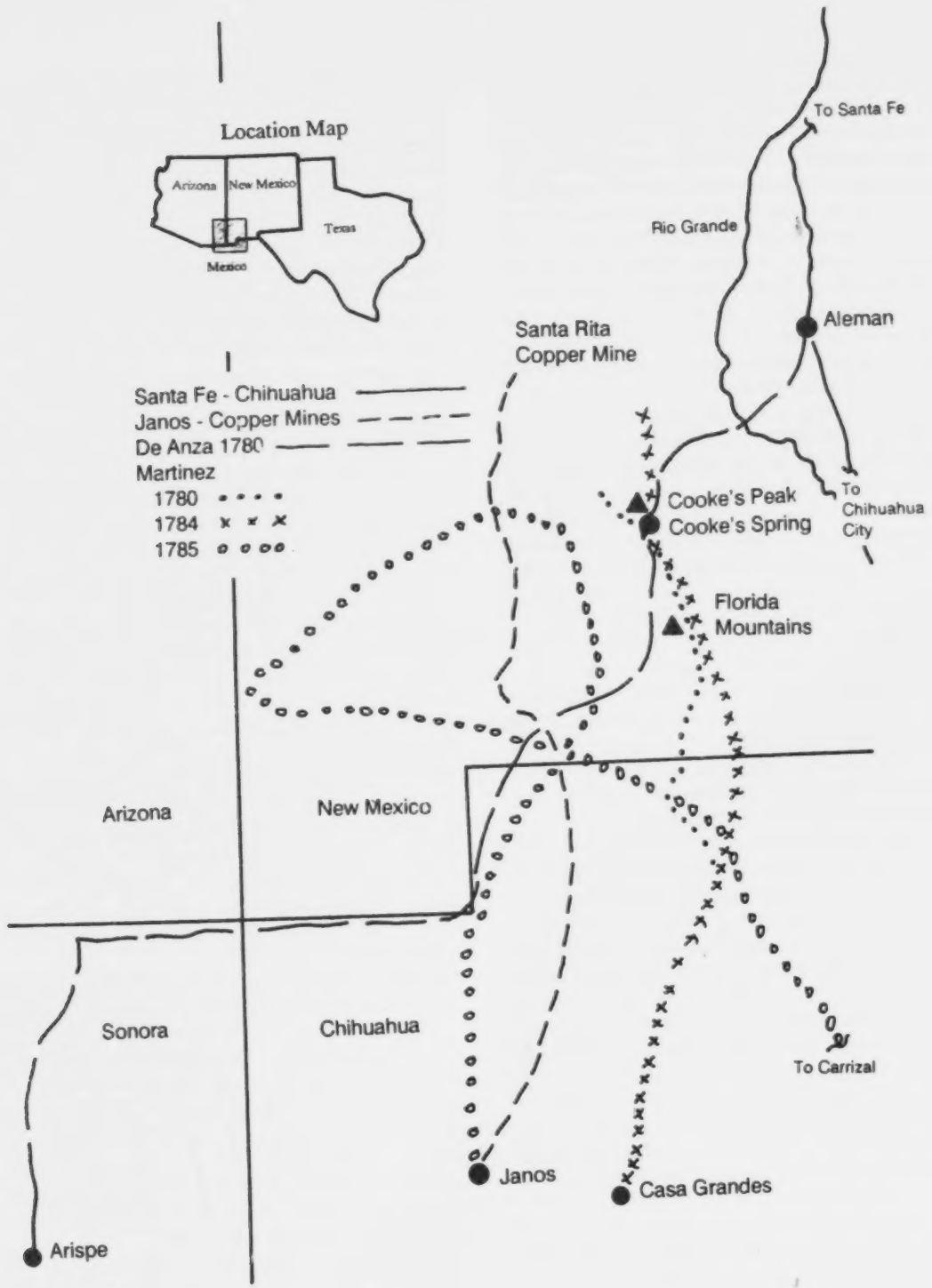


Figure 10. Spanish roads and expeditions.

society. They succeeded to some extent with the pueblos but not with the nomadic tribes.[50]

The Mimbres (the nomadic replacement of the earlier peaceful villagers) and other Apaches may have joined the pueblo Indians in welcoming the bearded White intruders from the south and even established some degree of trade. But hostilities were sure to come, given the pugnacious nature of both and the vast differences in wealth and social attitudes. From the earliest contact there were intermittent engagements between the Apaches and the Spaniards. Toward the middle of the seventeenth century, however, the hostilities escalated sharply and would not abate for nearly another two centuries.[51]

The Spanish adopted a policy of retaliation toward these people who had not responded favorably to their religious conversion efforts. When Indians pillaged a settlement, as they did with increasing frequency, the colonists would organize expeditions and extract painful retribution on the camps of the Indians.[52] It became a policy on both sides to kill the adults, occasionally sparing the women, and take the young to be held as slaves or sometimes brought up as family.

The Spanish discovered, all too quickly, that they could not conquer and enslave the Apaches. Therefore, they instituted the tactic of agitation between the tribes. This ancient military strategy of divide and conquer worked well, and before long the Apaches were considered a renegade people by almost everyone.[53] This same philosophy would be used repeatedly by the Mexicans and Americans in later years. The success of this policy was placed in temporary jeopardy about the middle of the eighteenth century when the Spanish signed a peace treaty with the Comanches at Pecos.

The Apaches saw the opportunity to reestablish the commerce they had enjoyed with the Spanish 35 or 40 years previously and appealed for a similar treaty. Whereupon the Comanches became outraged; if the Spanish made peace with these Apaches, who would the Comanches have left to fight? Seeing the peace-with-everybody policy as untenable, the Commandant General instructed Governor Fernando de la Concha to keep the peace with only the "four allied tribes," the Comanches, Utes, Navajos, and Jicarillas, and reject the overtures by the Apaches.[54]

Not all relations with all bands of the Apaches amounted to constant warfare. In a 1628 communication Father Alonso de Benavides, head of the Franciscan Mission and Custos who had led a dozen apostles to New Mexico in 1625, mentioned that a friar named Martin (or Domingo) del Espiritu Santo had worked with great courage among the Gila Apaches.[55] For the most part, this was to be a fleeting situation. Relations between the Spanish and Apaches became more acute during the 1660s, and in 1663 the Governor's representative and commander of the Piro Pueblos (southeast of present-day Albuquerque), Nichols Aguilar, wrote that "no road is safe from this heathen nation."[56] This would be the major theme until the Mexican revolution brought down the Spanish flag in Central and North America.

On April 1, 1669, Fray Juan de Bernal wrote that, among other problems with the Apaches, they were killing all of the Christian Indians they could find.[57] The message would be repeated by the frontiersman, explorer, and Jesuit missionary, Father Jacobo Sedelmayr, in 1763 when he wrote of "the cruel Apache nation" and as late as 1812 when the only New Mexico representative who ever attended the Spanish Cortes, Don Pedro Bautista Pino, called the Apache "a treacherous, cruel, and thieving people."[58]

For New Mexico, the period from 1628 to 1680 was one of internal conflict and isolation as the military and church fought for domination of the government and the Indians, and the supply carts from the interior of Mexico came infrequently and sporadically. Subjugation of the Indians by force and by religion was carried out zealously, and in 1675, Governor Juan Francisco de Trevino tried to end the fratricidal power struggle by siding with the clergy and prohibiting pagan observances. In a raid on such practices, he rounded up 47 Indians and publicly whipped them except for the 4 he hung. Among those beaten was Pope, a middle-aged Indian, from the pueblo of Ohke, later renamed San Juan.

In 1680, led by Pope from his Taos kiva headquarters, the pueblos decided they had experienced sufficient Spanish domination and rose in rebellion. The various villages banded together in a unified upheaval, except for Isleta and Socorro, and aided by the nomadic Navajos, drove out the Spaniards and their Indian friends, killing many in the process. The defeat of the southern invaders and their converts was complete, and the rout did not abate until the survivors reached El Paso del Norte.[59] The Indian was master of New Mexico once again, but not for long.

After the Indian revolt against the Spanish in 1680 and the retreat to El Paso del Norte, the Spanish Governor Antonio Otermin ordered the construction

of villages for the few loyal Indian allies. The village of Ysleta (named for Isleta, a few miles south of Albuquerque) was established for the Tigua Indians and Socorro (for the like-named town 75 miles south of Albuquerque) for the Piros.[60]

The temporary defeat of the Spanish at the hands of the combined pueblos probably affected relations between the Apaches and the Spaniards. In 1682 the Apaches commenced raiding northern Mexico, and the following year, the Spanish launched successful counter-campaigns against them from their base at El Paso del Norte.

In 1683, under the new Governor, Domingo Jironza Petriz de Crusate, the Spanish operated extensively in southwestern New Mexico and, from their installation at El Paso del Norte, began extending a cordon of presidios that eventually arched from the Rio Grande to Tucson. From these installations, the Spaniards would later launch several simultaneous attacks from diverse directions and attempt to encircle the Apaches. This seldom worked effectively.[61]

Nearly the entire Southwest had become a no-man's land as a result of seemingly endless cycles of Indian raids and Spanish punitive countermeasures. The Apaches continued to escalate their offenses, and by 1686 it appeared that the whole area might return to their control. However, General Jacobo Ugarte, by order of the Viceroy, introduced some radical changes in Spanish Indian policy, and it was during the period between 1687 and 1711 that Padre Eusebio Francisco Kino pushed civilization northward into what would later become the Gadsden Purchase territory. As a result of his efforts, cultivation and prosperity flourished at isolated locations.

Under Kino's plan, the Indians were to be compelled to make treaties by force of arms and then be brought under further control by making them settle near the presidios and become dependent on the Spanish for their needs.[62] Obviously, Spain had decided it was easier and less costly to subsidize the Apaches directly than to let them extract their own tribute and then organize punitive expeditions. Even so, in the fall of 1691, Spanish Governor Don Diego Jose de Vargas Zapata Lujan Ponce de Leon y Contreras (usually known as Diego de Vargas), and the commander at Janos led their combined forces north against the Gila Apaches. The expedition was of limited success because, although they captured a number of women and children along the Gila River, they did little damage to the Apaches otherwise.[63]

The following year de Vargas led an expedition north from El Paso del Norte to reestablish Santa Fe as the heart of the Spanish empire in the Southwest. The force of less than 200 men, of which only 60 were Spanish soldiers, the balance made up of Indian allies, servants, and friars, left El Paso del Norte in August 1692. Near Santa Fe de Vargas established a rear base and with 40 soldiers, 50 Indians, and 3 friars he advanced to the former capital. Before dawn on September 13, Vargas and his men surrounded the present-day Governor's mansion and demanded the Indians' surrender. Upon their refusal, he prepared for an assault, but at sunup again called for the natives to yield peaceably and promised clemency. The Indians demanded that he approach alone and remove his helmet so they could verify with whom they were communicating. De Vargas did so and then calmly withdrew and ate his breakfast. Late that afternoon, those who argued for peace prevailed, the gates were opened, and the Indians came out unarmed to talk with de Vargas.

In this same manner, promising forgiveness and protection in return for their apologies and promises of allegiance to the King, he succeeded in bringing pueblo after pueblo back into the Spanish fold. The entire campaign was accomplished without firing a shot or losing a life. By December 20, de Vargas and his small troop were back in El Paso del Norte.[64]

Santa Fe would remain the core of northern Spanish control until the United States Army of the West ousted the Mexican governor and military in 1846. In the meantime, however, the Apaches and the Plains Indians had successfully adapted to using captured Spanish horses. Although dangerous as foot soldiers, the Indians became vastly more effective with their increased mobility.

Prior to 1700, the Apaches had been satisfied with minor raids against the pueblos and presidios. During the eighteenth century, they exploded in a wave of terrorism that nearly drove the Spanish from the frontier, and the missions, including Santa Fe, became islands of fear in a desert sea largely controlled by the Indians.[65]

Early in the second decade of the 1700s, New Mexico Governor Juan Ignacio Flores Mogollon and an escort of soldiers pursued an Apache raiding party that had stolen some of his horses. Before the adventure was over, he had lost his hat and the lives of seven of the accompanying soldiers and bequeathed his name to the rugged mountains of southwestern New Mexico,

without retrieving his horses. As a result of the concerted hostilities, the missions declined and in many cases gave way entirely to the presidio or fort.[66]

By the middle of the eighteenth century, the Spanish saw that they would have to launch large coordinated campaigns against the Apaches if they were to have any hope of holding their northernmost province. In 1747 the Spaniards launched a major offensive against the Apaches of New Mexico, but despite propitious beginnings, it ended in failure. Many of the New Mexico troops were diverted by Governor Joaquin Codallos y Ragal to control a Ute uprising in the north. The remaining 700 men that united on the Rio Mimbres to scout the headwaters of the Gila, Mimbres, and San Francisco rivers were unable to engage a significant body of the elusive enemy. After three months in the field and covering 1,000 miles, the expeditionary forces were disbanded on the Rio Grande in December.[67]

Curiously, one of the Franciscan friars, Juan Miguel Menchero, had coordinated at least part of the large-scale campaign, and although he was called on in later years for similar assistance, his fellow missionaries thought that this was a role unbecoming of a friar.[68] Captain Bernardo Antonio de Bustamente Basque y Tagle, of Sonora, assisted by Captain Gabriel de Vildosola, from Fronteras, conducted a similar campaign through southwestern New Mexico in 1756 but met with only limited success. Not all of the planned reprisals against the Indians were consummated and no record was found of any major expeditions in the area for nearly another two decades.[69]

For the first time the Spanish faced a serious threat from forces at least as mobile as their own. Spain ordered the Marquees de Rubi, a respected military leader, to reorganize frontier defenses, and he proposed a string of 15 presidios which were to be implemented under the Royal Regulations of 1772. Colonel Hugo O'Conor, an expatriate to Spain from Dublin, was designated the Commander Inspector to implement the plan, which he at least partially accomplished by building or relocating 12 installations.[70]

During 1773 and early 1774, O'Conor's men enjoyed moderate successes (Captain Juan Bautista Peru) and defeats (Captain Alegre) in their northern province encounters. Late in 1774 O'Conor, now a General, rode north from Janos to defeat the Gilas in the Alamo Hueco and the Big and Little Hatchet ranges.[71] The success of his tactics must have been convincing, because the following spring O'Conor developed a plan to invade the upper Gila from several directions. This massive undertaking was conducted by detachments from more than 20 presidios and settlements as well as Indian allies. The coordinated movements were initiated between August 20 and September 1, 1775. Despite the necessary withdrawal by Governor Mendinueta of New Mexico for want of horses, over 1,600 men were fielded to envelope and punish the recalcitrant Apaches.

The plan was for one group to block escape routes to the north while a second acted as the hammer driving the Indians west from the Rio Grande, the Florida Mountains, and the Mimbres Mountains (Cooke's Range) and crushing them on the twin anvils supplied by O'Conor's and Tomas Velez Cachupin's (Governor of Sonora) troops. The plan worked quite effectively and in administering 15 defeats to the Apaches, the Spaniards killed 138 warriors, captured 104 Indians of all ages and sexes, and recovered 1,966 stolen animals. No information was recorded concerning the death of female adults or children.

Again in the fall of 1776, O'Conor moved against the Apaches, this time with Governor Mendinueta assisting with 250 men under First Lieutenant Diego de Borca. Apparently traversing essentially the same area and using similar tactics, this time they destroyed 27 Indians, took 18 prisoners, and confiscated considerable plunder. Similar expeditions from Sonora and Vizcaya had similar success killing 40 and capturing 46 Indians while recovering 119 horses. These serial defeats were made more terrible because the Apaches, in attempting to flee eastward and avoid the operations conducted by the Spaniards, ran into their old Comanche enemies and lost perhaps hundreds more.[72]

Despite the successes achieved by O'Conor in the Gila area, the Apaches continued to terrorize the Spanish settlers and military alike. Don Teodoro Cavallero de Croix, the Commander General of the interior provinces of New Spain during the years of the American Revolutionary War, surmounted manpower shortages and lack of funds and tried to bring peace to the troubled frontier with some success. In 1777, however, things must not have been going well, because de Croix reported that the Apaches were overrunning Sonora with impunity, horse herds were swept off regularly, and presidio garrisons were hard put to defend their posts and herds and unable to mount any offensive operations against the Apaches. From this period until after the turn of the century an uneasy impasse existed; the Spanish could not be expelled from their fortified positions, and the elusive Apaches

could not be brought to bay and terminally defeated.[73]

A map of "The Kingdom of New Mexico," drawn by colonial New Mexico's foremost cartographer, Don Bernardo de Miera y Pacheco, in about 1758 to 1760 and dedicated to Senor Don Francisco Antonio Marin del Valle, the Governor and Captain General of New Mexico, clearly depicted a sharp peak called Cerro de los Remedias. The map also illustrated a river called Rio de las Mimbres west of the peak and showed it disappearing into a dry lake south of the mountain.[74] This mountain has been confirmed as Cooke's Peak, and it has been further indicated that La Virgin de los Remedios (the Virgin of the Remedies) was a very popular Spanish saint for whom many things have been named.[75]

In the late 1700s and early 1800s, several exploratory Spanish expeditions passed through or near the Cooke's Peak area. A coordinated exploratory effort in 1780 involved Governor Juan Bautista de Anza (Figure 11), Captain Don Joseph Antonio Vildosola, and Captain Don Francisco Martinez, and later expeditions were led by Captain Antonio de Cordero in 1785 and Antonio Armijo, a Mexican explorer and trader, in 1829.[76] The massive effort in 1780 was the result of the desire of Governor de Anza to establish a shorter, more efficient road between New Mexico and Sonora. Merchants and government officials in Santa Fe sought to develop better trade contacts with Sonora but were hampered by the absence of a road, hostile Indians, and the great distance.[77]

De Anza also thought that a road to Sonora would provide access to the California coast so that New Mexicans could purchase European goods at lower cost. It would also provide encouragement for New Mexicans to work in the Sonora silver mines that were short of labor because of the emigration to California. In addition, there was a desire for a better link between Santa Fe and the new missions near Tucson. Finally, de Anza wanted to establish a road that would have strategic value in supporting military operations aimed at pacifying the Indians.[78]

To travel south from Santa Fe, merchants followed the Camino Real to El Paso del Norte. At this point a secondary road branched off and continued southwest across the plains to Nueva Vizcaya to the southern end of the Hatchet Mountains just below the present New Mexico border. Here the road forked again; one branch turned south toward the presidios of Janos and San Buenaventura, and the other angled northwest into the New Mexico panhandle, through San Luis Pass, across the Animas Valley, and down through Guadalupe Canyon to San Bernardino where a presidio existed from 1775 to 1780. At this point travelers could go south to Fronteras or Arizpe or continue westward to the San Pedro River and beyond.[79]

In considering the various potential routes to Sonora, de Anza was acutely aware of the need for experienced guides because precise knowledge of trails, mountain passes, and watering places was scarce. In late 1779, de Anza asked Commandant General de Croix for the services of two Sonoran soldiers who had served under him during the Menchero Gila campaign in the mid-1700s when de Anza had been at the Tucson presidio. Unfortunately, Manuel Chacon had died, and Juan

Figure 11. Juan Bautista de Anza. Photo Courtesy of the Museum of New Mexico, #50828.

Santos Mexia had disappeared in the intervening 30 some years.[80]

In evaluating which route to try, de Anza had several possibilities. He immediately discarded the one that led through the Hopi villages, because it was as long as the road west from El Paso del Norte, and a previous expedition in this direction had experienced severe water problems. A second, and likewise rejected, route led from Zuni down through the San Francisco River valley to the Gila. This was deemed as too rugged for use by wagons and carts, and there was a high concentration of Apache rancherias along the river. The route de Anza decided on followed the Rio Grande south, swung west and south of the Black Range and Mimbres Mountains, and headed west through the Chiricahua Mountains to Santa Cruz.[81]

Commandant General de Croix approved of de Anza's plan and instructed two other military units, under Vildosola and Martinez, to march north and support the operation by meeting de Anza in the Sierra de los Mimbres.[82] On November 9, 1780, all was ready, and Governor de Anza marched out of Santa Fe with 50 soldiers and more than 100 volunteer citizens. The column accompanied the annual Chihuahua caravan as far as the Fray Cristobal camp below Socorro.[83] By November 28, de Anza had left the river, skirted the Mimbres Mountains, and proceeded as far as Cooke's Spring, which he called Picacho, arriving there at half-past 10 o'clock at night. They were on the road again eight hours later toward the Rio Mimbres, having a "dustup" with a band of Apaches along the way. De Anza proceeded on south and west arriving safely at Arizpe on December 6, 1780, having covered a journey of 221 leagues (or nearly 700 miles).[84]

The other two elements of the coordinated operation met with moderate success. Vildosola, in charge of the expedition out of Arizpe, that included 116 military and 80 Opata Indians, had explored the San Simon valley, crossed over Stein's Pass, and probably came as far east as the Mimbres River. There was no indication that this group, while killing 12 Apaches and capturing 20, came any closer to Cooke's Spring. Martinez, on November 8, 1780, led a force of 129 (of whom 48 were Opatas) from the Velarde presidio in Chihuahua and traveled much the same area as Vildosola but included the Floridas.[85] He camped at Cooke's Spring, about 10 days earlier than de Anza, but referred to it as San Miguel. During the late morning of November 18, an approaching Indian was killed by Corporal Felipe Lopez who was awarded the Apache's horse and lance for his efforts. During the course of the expedition, Martinez's troops killed six young warriors, five women, and six children without taking any prisoners.[86]

When reviewed against its goals, the three-pronged expedition was a failure. Each of the three elements had experienced some hostile encounters with Apaches, but none made contact with either of the other two.[87] The route de Anza explored had neither the directness to Sonora nor the required water sources for the successful development of a wagon road. Perhaps his inability to secure knowledgeable guides could be blamed for de Anza's failing to achieve his goal. De Croix was disappointed over the results and planned to try again the following year. However, nearly a half decade elapsed before another serious attempt was made to link Sonora and New Mexico more directly.[88]

During April and early May 1784, five large Spanish columns moved against the Apaches of New Mexico from the presidios of the northern provinces. Four operated somewhat in concert to strike against Apaches south and west of the Cooke's Spring area. They accounted for 47 killed, 10 prisoners, and 1 freed captive. The fifth division, under the command of Martinez, operated in the Sierra de las Mimbres region and in several actions killed 21, captured 3, recovered 101 animals, and freed 1 captive while losing only 1 soldier.[89]

During November 1785, three Spanish divisions entered Apache country and inflicted additional punishment on any Indians they could locate. The first division of 140 was commanded by Martinez, the second and third by Captain Don Antonio Cordero (Captain Don Juan Bautista Peru who was to have commanded was recovering from injuries) and Lieutenant Don Jose Manuel Carrasco, respectively. The first division left Janos on the sixteenth, while the second and third divisions of 111 and 103 men, respectively, left the following day. The first division was the only one to penetrate the Cooke's Peak area during their foray. Martinez's men marched up west of the Floridas, combed the west and north slopes of Cooke's Peak, proceeded to the copper mines area, skirted the Mimbres River and returned to Carrizal by way of the Floridas. In all, this division killed 5 Indians and recovered 30 head of stock (again no prisoners). The other divisions accounted for nine killed, including six women and two children.[90]

Probably as a retaliation for the continued Spanish

punitive expeditions and to replenish lost supplies, the Apaches attacked the capital city of Arizpe on July 29, 1786. In writing to de Anza on October 25, Jacobo Ugarte y Loyola indicated the anticipation of a similar attack for which he was attempting to prepare. He reported that intelligence gathered from other Indians indicated that the Apaches intended to gather near Cooke's Peak and move on Arizpe by different routes.[91]

De Anza, although transferred to Tucson and promoted to military Commandant of Sonora in 1787, continued to maintain an interest in improving the roads, especially between Santa Fe and Tucson. He sent an expedition from Tucson to link up with one led by Governor Concha of Santa Fe. The two columns failed to make contact, and de Anza died in December of that year, still having failed to establish the desired road. Another attempt at finding a route was apparently made by Don Jose de Zuniga in 1795, with the usual result, and there was no indication that any frontier official made any further attempts.[92]

By the 1790s, the Spanish were beginning to recognize distinctions between the various Apache bands and named them primarily for the area in which they lived or for their cultural traits. Therefore, the Indians closely associated with the Cooke's Peak area were referred to as the Mimbres.[93] By 1796, through a generous reservation system, the Spanish had achieved a sort of uneasy peace with many of the Apaches, and by the early nineteenth century the pace of Spanish campaigning against them seemed to have slowed.

An immense deposit of copper ore exists about 30 miles northwest of Cooke's Peak. As a native mine it had been known and used by the Indians at least as early as A.D. 900. Copper artifacts discovered at the Etowah Site, Georgia (circa A.D. 880-1550), have been spectrographically proven to originate at the New Mexico mine, thereby supporting the contention that an Indian trade route across the present-day southern United States predated any European initiated explorations. The copper mine was revealed to the Spaniards in 1800 when an Apache Indian guide informed Carrasco (now a Colonel) of its location.[94]

Carrasco lacked the means to develop and market the mine and sold his claim to Don Francisco Manuel de Elguea, a wealthy Chihuahua merchant, in 1804. However, Carrasco had already bequeathed the mine the name Santa Rita del Cobre, after the patron saint of strays from the flock, a name it still bears today. De Elguea opened the Santa Rita del Cobre for exploitation, and it quickly achieved an important niche in the Spanish economy. To protect his 600 miners from the Indians and control the many convict laborers among them, de Elguea constructed a walled fort in the shape of an equilateral triangle with 200 foot sides and walls 3 to 4 feet thick (Figure 12).[95]

Despite sporadic Indian problems, the locally concentrated ore was shipped south to Janos for processing, including the minting of coins. In 1807 Lieutenant Zebulon Montgomery Pike reported that the mine was producing 20,000 mule-loads of copper a year, or 3 to 6 million pounds of rich ore. Reportedly the ore contained sufficient gold to offset nearly all the expense of transportation.[96]

Mexicans, Americans, and Others

Meanwhile, far from New Mexico, other forces had been set in motion that would have a profound effect on that province and the Southwest. Spain was in trouble on the continent of Europe and, after 250 years, the cumbersome and inefficient colonial administrative machinery was collapsing. In the New World the struggle for freedom from Spain was initiated in September 1810 when Father Miguel Hidalgo y Castillo started a movement for Mexican independence that was not completed until 1821. By 1825 all Spanish colonies except the Caribbean islands were free and independent nations.[97]

In New Spain, the internal chaos building since 1811 had resulted in a complete breakdown of any consistent Apache policy and a loss of control. Following the Mexican Revolution, Don Ignacio Zuniga reported that between 1820 and 1835, 5,000 Mexicans had been killed, 100 settlements destroyed, and another 4,000 settlers forced by Apache depredations to leave the northern frontier, including the abandonment of the copper mine.[98]

Mexico, after achieving independence, entered a period of instability; torn by power struggles large and small, the country plunged into a period of political anarchy and civil war that lasted for half a century. Concurrent with Mexican independence and political upheaval, a period commenced during which adventurers and filibusterers from the United States repeatedly fueled the antagonism between the two countries. But, it was not all this way.

Figure 12. The Presidio of Santa Rita del Cobre. Photo courtesy of the Museum of New Mexico, #20697.

James Ohio Pattie and his father, Sylvester, leased and reoccupied the Santa Rita del Cobre mine in 1825 and, with partners James Kirker and Nathaniel M. Pryor, worked it successfully, even though a dishonest employee ruined them later. Toward the last of October in 1825, James Pattie returned to the mine from El Paso del Norte after an extended trip into the interior of Mexico. Because he traveled up the river for two days before turning west, he very likely went by way of Cooke's Spring to reach Santa Rita del Cobre. During the next year, Pattie hunted in the mountainous areas around the mine and on at least one occasion was as far south as Cooke's Peak, because he described the "Membry [Mimbres River]" as running a southerly course before becoming lost in a wide arid plain.[99]

Not long after the disappearance of their clerk with $30,000, Sylvester Pattie and his two partners were forced out of the copper mine by Robert McKnight and Stephen Courcier. The new operators quickly extended their control to other holdings and soon dominated copper mining in Chihuahua. However, at the Santa Rita, the Apaches, rather than a dishonest clerk, would prove their downfall.[100]

A final trail was "opened" through the area in 1832 by David Jackson when he and 11 companions traveled to California from Santa Fe. The map of their journey shows them breaking away from the Rio Grande just above the bend (at present-day Hatch) and traveling southwest for an appreciable distance before turning almost due west.[101] Along this route they would almost assuredly have camped at Cooke's Spring.

The major route to the "far west" for 25 years prior to the Mexican War was the overland road from Missouri to Santa Fe. In the 1830s, however, merchants and traders began extending their pack-train operations to San Diego and Los Angeles over routes referred to as the Gila River Trail and the Old Spanish Trail, respectively. The Gila River Trail crossed westward by what would later become known as Cooke's Spring.[102] John Marsh and Jonathan Trumbull Warner (called "Juan Jose" by the Spanish who had difficulty with his Anglo name) were two very different entrepreneurs among the several who made this journey west.

John Marsh traveled to California over the Gila River Trail in 1836, arriving in the San Joaquin Valley in February. His checkered past branded him somewhat as a promoter of ideas mainly beneficial to himself. He had graduated from Harvard, after having been thrown out for breaking a window during a student riot. He later led some of the Sioux against the Sak and Fox tribes during the Black Hawk War, after first supplying the rebelling tribes with illegal guns and ammunition.

Under warrant for arrest, he fled down the Mississippi River and turned up in Independence, Missouri in 1833. After business failure there, he journeyed to California and convinced the Mexican officials that he was a doctor. He then proceeded to set up a profitable practice and became a substantial landowner. From here he conducted his exhortation for people to follow him. He was one of the first and strongest agitators in trying to convince more American emigrants to move their families and belongings to California.[103]

"Juan Jose" Warner, also called "Juan Largo" (Long John – he stood 6 feet 3 inches), was probably a much more desirable citizen in the eyes of southern Californians. He left Connecticut in 1830 for his health and reached St. Louis in November. In the spring of 1831, he accepted a clerk's position with a wagon train headed for Santa Fe organized by Jedediah Strong "Peg Leg" Smith, David E. Jackson, and William Sublette. Smith was killed by the Comanches before the train reached Santa Fe on July 4, 1831.

At Santa Fe, Warner joined the reorganized company, now headed by David Waldo, Ewing Young, and David Jackson along with seven others that left for California August 29, 1831, to trade for mules to be sold in Louisiana. They traveled a route later followed, at least in part, by Philip St. George Cooke.[104]

Warner remained in California, married, and after a few years working in Los Angeles, he started his own mercantile business in 1837 near the corner of Main and Temple streets. In December 1839 he returned to the states where he remained until 1841. He delivered two lectures in New York in which he stressed the significance of the Pacific coast in the future development of the United states. Warner returned to California and in 1844 was granted the San Jose Valley where he settled the famous Warner Ranch near Temecula. From this vantage point on the only viable route into southern California, he would witness the unfolding of a fabulous new era, and nearly every journal that recorded the trip to California by the southern route would mention Warner's Ranch.[105]

Meanwhile, nothing the Mexicans tried in dealing with the Apaches seemed to work, so on September 7, 1835, an earlier program of paying bounty for Indian scalps was resumed. The government of Sonora offered 100 pesos for an adult male, and Chihuahua soon

followed the lead, adding 50 pesos for an Indian woman's scalp and 25 for a child's. As a result of the Mexican scalp bounty, a notorious border ruffian and scalp hunter from Kentucky, John James Johnson, and his followers perpetrated a mass execution on one of the Apache bands, April 22, 1837, using a concealed cannon heavily loaded with lead balls and scrap iron.

Lured to the scene by promises of food and trade, Juan Jose Compa, head of the Mimbres, and an uncertain but large number of his people were murdered by Johnson and his rapscallions.[106] Despite this staggering blow, the Mimbrenos, led by their new chief, Mangas Coloradas, launched a series of retaliations that were disastrous for the Americans and Mexicans. All the intruders, including those operating the copper mines, were either killed or forced to flee the region.[107]

From that time on, there would be no peace or any quarter offered between the Apaches and the Mexicans. Anglo trappers were also murdered throughout the area, and in 1838 the Santa Rita del Cobre copper mine, always operating spasmodically due to fluctuating Indian tolerance, was again shut down and abandoned, and nearly all the people who had worked there were wiped out while fleeing for Chihuahua. The copper mine would remain uninhabited until the 1850s.[108]

At the close of the pre-American period, the area had become the uncontested homeland of the Mimbres Apache. Long gone were the Mogollon and prehistoric Mimbres, patiently recording something of themselves in the virgin rock and on the ceramic canvas of their pottery. After centuries of quiet farming and concentration on developing rock and pottery art to a high form, they had disappeared – forever. Their successors would claim this land until forcefully removed by a society more advanced in numbers and technology. But, as long as the Apaches held the land, they would exact their economic tax in the form of raids and, when provoked, would lash out in a rage of self-consuming fury unparalleled in intensity and viciousness. With the Apache trouble brewing in the Southwest, and American entrepreneurs trickling into New Mexico and California, Mexico did not need the additional vexation in the form of the Texas declaration of independence and the cataclysmic events that soon followed.

Endnotes - Chapter 1

1. Paige W. Christianson and Frank E. Kottlowski, *Mosaic of New Mexico's Scenery, Rocks, and History* (Socorro, New Mexico: New Mexico Institute of Mining and Technology, 1964), p. 3 (hereafter cited as Christianson and Kottlowski, *Mosaic*).

2. Some sources such as Martha M. Hammersen, "The Prehistoric Mogollon Culture and Its Regional Aspects in the El Paso Area," *The Artifact*, Vol. 10 (No. 1, 1972), p. 6, claim this date was closer to 2500 B.C. Examination of recently excavated mammoth remains south of Las Cruces, New Mexico may shed additional light on the matter.

3. Christianson and Kottlowski, *Mosaic*, p. 3; J. J. Brody, Catherine J. Scott, and Steven A. LeBlanc, *Mimbres Pottery: Ancient Art of the American Southwest* (New York: Hudson Hills Press, 1983), p. 23 (hereafter cited as Brody, Scott, and LeBlanc, *Ancient Art*).

4. J. J. Brody, "The Mimbres Paradox," *New Mexico*, Vol. 55 (Oct., 1978), p. 20 (hereafter cited as Brody, "Mimbres Paradox"). Mogollon is pronounced 'Muggy-own' by the archaeologists.

5. Warren A. Beck and Yenez D. Hasse, *Historical Atlas of New Mexico* (Norman: University of Oklahoma Press, 1969), p. 12 (hereafter cited as Beck and Hasse, *Historical Atlas*).

6. Brody, Scott, and LeBlanc, *Ancient Art*, p. 26.

7. Daniel Tyler, *A Concise History of the Mormon Battalion in the Mexican War, 1846-1847* (Chicago: The Rio Grande Press, 1964), p. 204; *Deming Graphic*, Oct. 21, 1968, p. (unknown).

8. Brody, Scott, and LeBlanc, *Ancient Art*, p. 26.

9. H. M. Wormington, *Prehistoric Indians of the Southwest* (Denver: The Denver Museum of Natural History, 1969), pp. 151-157 (hereafter cited as Wormington, *Prehistoric Indians*).

10. Oliver Theodore Snodgrass, *Realistic Art and Times of the Mimbres Indians* (El Paso: private printing, 1975), p. 1 (hereafter cited as Snodgrass, *Realistic Art*).

11. Brody, "Mimbres Paradox," p. 23.

12. Brody, Scott, and LeBlanc, *Ancient Art*, p. 27.

13. Myra Ellen Jenkins, Santa Fe, April 25, 1984, letter to the Author (hereafter cited as Jenkins, April 25).

14. Wormington, *Prehistoric Indians*, p. 158; Snodgrass, *Realistic Art*, p. 2.

15. Brody, Scott, and LeBlanc, *Ancient Art*, p. 27.

16. Wormington, *Prehistoric Indians*, p. 159.

17. Brody, *Mimbres Paradox*, p. 20.

18. Byron Cummings, *First Inhabitants of Arizona and the Southwest* (Tucson: Cummings Publication Council, 1953), p. 179.

19. Brody, *Mimbres Paradox*, p. 24.

20. One of the clearest petroglyphs near Massacre Peak is that of a fish that is evidently a shark or sturgeon.

21. Harold Sterling Gladwin, *A History of the Ancient Southwest* (Portland, Maine: The Bond Wheelwright Company, 1957), p. 224 (hereafter cited as Gladwin, *Ancient Southwest*).

22. Brody, *Mimbres Paradox*, p. 25.

23. Wormington, *Prehistoric Indians*, pp. 159-161.

24. Brody, Scott, and LeBlanc, *Ancient Art*, p. 44.

25. *Ibid.*, p. 69; Snodgrass, *Realistic Art*, p. 171.

26. Bureau of Land Management, *Draft Environmental Assessment - Appendix C. Cooke's Range WSA (NM-030-031)* (Las Cruces, New Mexico: Bureau of Land Management, U. S. Department of the Interior, 1983), p. C7.

27. Polly Schaafsma, "Images on Stone," *New Mexico*, Vol. 58 (Mar., 1980), p. 19 (hereafter cited as Schaafsma, "Images").

28. Polly Schaafsma, *Indian Rock Art of the Southwest* (Albuquerque: University of New Mexico Press, 1970), p. 199.

29. *Ibid.*, p. 201. Since there are at least three sites in the foothills of Cooke's Peak alone, it is quite probable that Schaafsma was not familiar with all of the available rock art examples; indeed most of her illustrations seem to have been taken from the Massacre Peak site at the west end of Cooke's Canyon. However, what is important is that the link between the Mimbres pottery art and the rock art has been established.

30. *Ibid.*, p. 203.

31. Schaafsma, "Images," p. 22; LaVan Martineau, *The Rocks Begin to Speak* (Las Vegas, Nevada: KC Publications, 1973), p. ix.

32. *Ibid.*, pp. 40-41.

33. *Ibid.*, pp. 169, 171.

34. Christianson and Kottlowski, *Mosaic*, pp. 5, 60.

35. Brody, Scott, and LeBlanc, *Ancient Art*, p. 31.

36. Gladwin, *Ancient Southwest*, p. 246. Jerry L. Williams (ed.), *New Mexico in Maps* (Albuquerque: University of New Mexico, 1986), p. 82, added changing rainfall patterns, local conflict, and environmental burnout to the proposed list of causes.

37. T. E. Raynor, "The Mystery of the Mogollon Migration," *New Mexico*, Vol. 33 (Feb., 1955), p. 37; Snodgrass, *Realistic Art*, p. 45; Wormington, *Prehistoric Indians*, p. 161.

38. Gladwin, *Ancient Southwest*, p. 216.

39. Brody, Scott, and LeBlanc, *Ancient Art*, p. 13.

40. Gladwin, *Ancient Southwest*, p. 216; Ralph Redrick Ogle, "Federal Control of the Western Apaches, 1848-1886" *New Mexico Historical Review*, Vol. 14 (Oct., 1939), p. 313 (hereafter cited as Ogle, "Federal Control"). This cultural designation is sometimes spelled Athabascans or Athabaskans. The word Apache may have been of Spanish or Mexican origin or may have been taken from the Yuman term e-patch, meaning man or fighting man. It may equally have been derived from the Zuni word Apachu, which meant enemy.

41. William E. Coffer, *Sipapu* (New York: Van Nostrand Reinhold Company, 1982), p. 15 (hereafter cited as Coffer, *Sipapu*).

42. Bertha Pauline Dutton, *Indians of the American Southwest* (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1975), p. 115.

43. Gladwin, *Ancient Southwest*, pp. 216-217. David E. Stuart and Roray P. Gauthier, *Prehistoric New Mexico, Background for Survey*, edited by Thomas W. Merlan (Santa Fe: Historic Preservation Bureau, 1981), p. 424, suggests that a rise in buffalo population prior to 1500 may have resulted in an early wave of intrusion, followed by a withdrawal before the final incursion by the Apaches. Joseph Allen Stout, Jr., *Apache Lightning* (New York: Oxford University Press, 1974), p. 4, more specifically claims that the Ojo Caliente (Mimbres) Apaches arrived in the Southwest sometime between 900 and 1200.

44. Gladwin, *Ancient Southwest*, p. 235.

45. *Ibid.*, p. 247; Even Steadman Upham, "Adaptive Diversity and Southwestern Abandonment," *Journal of Anthropological Research*, Vol. 40 (Summer, 1984), p. 250, a strong advocate of Mimbres decline due to natural causes, admits that the Spanish records indicate that the Apaches' distribution, range, and population numbers are incompatible with a late entry date.

46. Brody, *Mimbres Paradox*, p. 25.

47. Christianson and Kottlowski, *Mosaic*, p. 6.

48. Veronica E. Velarde Tiller, *The Jicarilla Apache Tribe: A History, 1846-1970* (Lincoln: University of Nebraska Press, 1983), p. 5. The Spaniards did not call these Indians Apache until the 1600s; instead they used other designations such as Querechos and Vaqueros and did not differentiate between the various bands until about 1700.

49. Christianson and Kottlowski, *Mosaic*, pp. 6-7; Jerry L. Williams and Paul E. McAllister, *New Mexico in Maps* (Albuquerque: University of New Mexico, 1979), p. 32; Hugh Meglone Milton, *Fort Selden, Territory of New Mexico, 1865-1890* (Las Cruces: Privately Published, 1971), p. 12, indicated the pass was named for Pedro Robledo.

50. Lynn Irwin Perrigo, *The American Southwest, Its Peoples and Cultures* (New York: Holt, Rinehart and Winston, 1971), p. 247 (hereafter cited as Perrigo, *American Southwest*).

51. Dan L. Thrapp, *Victorio and the Mimbres Apaches* (Norman: University of Oklahoma Press, 1974) p. 16 (hereafter cited as Thrapp, *Mimbres Apaches*).

52. Perrigo, *American Southwest*, p. 247.

53. Coffer, *Sipapu*, p. 59.

54. John L. Kessell, *Kiva, Cross, and Crown, the Pecos Indians and New Mexico, 1540-1840* (Washington: National Park Service, U. S. Department of the Interior, 1979), p. 410 (hereafter cited as Kessell, *Kiva*).

55. *Ibid.*, p. 154. As the Custos, or custodian for that province, he was also the head of the Inquisition.

56. Gordon Cortis Baldwin, *A Story of the Chiricahua and Western Apache* (Tucson: Dale Stuart King, 1965), p. 12 (hereafter cited as Baldwin, *Western Apache*). It must be considered that the history of the Apache was written by their enemies who had very different concepts of what was desirable or even acceptable social conduct. For another interesting side to this and other race relations issues, attend a Mescalero Apache July 4 celebration and listen closely when they present their pageant on the history of the tribe and the intrusion of the Whites.

57. Donald E. Worcester, "Troublous Times in New Mexico," *New Mexico Historical Review*, Vol. 16 (Jan., 1941), p. 12.

58. Baldwin, *Western Apache*, p. 12; Charles L.

Kenner, *A History of New Mexico - Plains Indian Relations* (Norman: University of Oklahoma Press, 1969), p. 55.

59. Leon Claire Metz, *Fort Bliss, An Illustrated History* (El Paso: Mangan Books, 1981), p. 8 (hereafter cited as Metz, *Fort Bliss*); Time-Life Editors, *The Spanish West* (New York: Time-Life Books, 1976), pp. 51-52 (hereafter cited as Time-Life, *Spanish West*). Of the 2,800 Spaniards who had lived among the Pueblo Indians, nearly 2,000 had reached El Paso del Norte. Paul Horgan, *Great River, the Rio Grande in North American History*, Vol. 1 (New York: Rinehart & Company, Inc., 1954), p. 292, claims that 2,500 fled but only 1,946 were recorded on the rolls taken when they reached El Paso del Norte, because hundreds had already escaped into the interior of Mexico, undetected and uncounted.

60. Christianson and Kottlowski, *Mosaic*, p. 8; Warren A. Beck, *New Mexico - A History of Four Centuries* (Norman: University of Oklahoma Press, 1971), p. 35.

61. John Philip Wilson, *Historical Profile of Southwestern New Mexico*, Report No. 21 (Las Cruces: New Mexico State University, 1975), p. 7 (hereafter cited as Wilson, *Historical Profile*).

62. Ogle, "Federal Control," p. 336.

63. Wilson, *Historical Profile*, pp. 7-8.

64. Time-Life, *Spanish West*, pp. 54-55.

65. Christianson and Kottlowski, *Mosaic*, pp. 8-9.

66. John L. Kessell, "Campaigning on the Upper Gila, 1756," *New Mexico Historical Review*, Vol. 46 (Apr., 1971), p. 150 (hereafter cited as Kessell, "Upper Gila").

67. Marc Simmons, "Spanish Attempts to Open a New Mexico - Sonora Road," *Arizona and the West*, Vol. 17 (Spring, 1975), p. 10 (hereafter cited as Simmons, "Spanish Attempts").

68. Kessell, *Kiva*, p. 374.

69. Kessell, "Upper Gila," pp. 133-135. Wilson, *Historical Profile*, p. 8.

70. Metz, *Fort Bliss*, p. 9.

71. Wilson, *Historical Profile*, p. 8.

72. Alfred Barnaby Thomas (ed.), *Forgotten Frontiers: A Study of the Spanish Indian Policy of Don Juan Bautista de Anza, Governor of New Mexico* (Norman: University of Oklahoma Press, 1932), pp. 7-13 (hereafter cited as Thomas, *Forgotten Frontiers*).

73. Kessell, *Kiva*, p. 151. Although Pacheco was with the 1847 expedition, the required map to record the event was either never produced or has been lost.

74. Myra Ellen Jenkins, Santa Fe, December 20, 1984, letter to the Author (hereafter cited as Jenkins, December 20).

75. Metz, *Fort Bliss*, p. 9; Thrapp, *Mimbres Apaches*, pp. 16-17.

76. Beck and Hasse, *Historical Atlas*, p. 18. The relationship of Joseph Vildosola to de Anza's mentor, Gabriel de Vildosola, if any, is unknown.

77. Simmons, "Spanish Attempts," p. 5

78. *Ibid.*; Beck and Hasse, *Historical Atlas*, p. 18.

79. Simmons, "Spanish Attempts," p. 14. It was part of this route that Cooke followed in 1846 in blazing the wagon road to California. He struck the Janos road west of Cooke's Spring and followed it in the great "Ox Bow" route to the ruins of San Bernardino before turning north towards Tucson.

80. Schaafsma, *Images*, pp. 15-16.

81. Simmons, "Spanish Attempts," pp. 14-15.

82. Jean LaPorta (ed.), *History of Luna County* (Deming: Luna County Historical Society, Inc., 1978), p. 5 (hereafter cited as LaPorta, *Luna County*).

83. Simmons, "Spanish Attempts," p. 16; Thomas, *Forgotten Frontiers*, p. 197 claimed that four-fifths of the group was military.

84. Jenkins, December 20.

85. Florida is pronounced 'Flohr-ree'-dah'.

86. Jenkins, April 25; Thomas, *Forgotten Frontiers*, pp. 207-221. The reasons between calling the location Picacho or San Miguel are unknown. Since Martinez describes the water source as having little water, it is conceivable that he had entered Cooke's Canyon from the southwest and was camped near present-day Frying Pan Springs.

87. LaPorta, *Luna County*, p. 5.

88. Simmons, "Spanish Attempts," pp. 16-17.

89. Thomas, *Forgotten Frontiers*, pp. 247-256.

90. *Ibid.*, pp. 273-277.

91. *Ibid.*, pp. 360-361.

92. Simmons, *Spanish Attempts*, pp. 17-19.

93. Wilson, *Historical Profile*, p. 14.

94. Billy D. Walker, "Copper Genesis: The Early Years of Santa Rita Del Cobre," *New Mexico Historical Review*, Vol. 54 (Jan., 1979), pp. 5-6 (hereafter cited as Walker, "Copper Genesis").

95. *Ibid.*, pp. 8-10; John Russell Bartlett, *Personal Narrative of Explorations and Incidents in Texas, New Mexico, California, Sonora, and Chihuahua Con-*

nected with the United States and Mexican Boundary Commission, During the Years 1850, '51, '52, and '53, 2 Vols. (Chicago: The Rio Grande Press, Inc., 1965), Vol. 1, p. 227 (hereafter cited as Bartlett, *Personal Narrative*); Thrapp, *Mimbres Apaches*, pp. 17-18; Wilson, *Historical Profile*, p. 9; Walker, "Copper Genesis," p. 15.

96. Zebulon Montgomery Pike, *The Journals of Zebulon Montgomery Pike with Letters and Related Documents*, 2 Vols. (Norman: University of Oklahoma Press, 1966), Vol. 2, p. 48; Walker, "Copper Genesis," pp. 13-14. Walker presents convincing arguments that the 600 miners and 20,000 muleloads of ore per year reported by Pike were considerable overstatements of probable fact.

97. Christianson and Kottlowski, *Mosaic*, p. 9.

98. Ogle, "Federal Control," p. 337.

99. Richard Batman, *James Pattie's West: The Dream and the Reality*, (Norman: University of Oklahoma Press, 1986), p. 193 (hereafter cited as Batman, *Pattie's West*); Archibald Hanna and William H. Goetzmann (eds.), *The Personal Narrative of James O. Pattie* (Philadelphia: J. B. Lippincott Company, 1962), pp. 102, 117.

100. Batman, *Pattie's West*, pp. 197-198. One source, George Ruhlen, "Kearny's Route from the Rio Grande to the Gila River," *New Mexico Historical Review*, Vol. 32 (July, 1957), p. 216, claimed that Christopher "Kit" Carson, as a young man, had worked in the copper mines in 1828.

101. William H. Goetzmann, *Exploration and Empire* (New York: Vintage Books, 1972), p. 76. This is probably the same route traveled earlier by De Anza when he left the river in 1780.

102. Huston Horn, *The Pioneers* (New York: Time-Life Books, 1974), p. 30 (hereafter cited as Horn, *Pioneers*); Joseph John Hill, *The History of Warner's Ranch and Its Environs* (Los Angeles: Privately Printed, 1927), pp. 88-90 (hereafter cited as Hill, *Warner's Ranch*); Harlan Hague, *The Road to California: The Search for a Southern Overland Route, 1540-1848* (Glendale: The Arthur H. Clark Company, 1978) pp. 139-140. The "Old Spanish Trail" extended between Santa Fe and California by way of Utah and was pioneered in 1829 by Antonio Armijo and in 1830-31 by William Wolfskill's beaver hunting party. It was subsequently misnamed as a result of their following the Spanish trade route to the Great Basin country established by Juan Maria de Rivera's 1765 expedition to the Yuman Indians.

103. Horn, *Pioneers*, pp. 64-66.

104. Hill, *Warner's Ranch*, pp. 94-95, 101-102. On his first trip west Warner deviated slightly from Cooke's later route, passing by the copper mines northwest of Cooke's Peak before turning south on the Janos road.

105. *Ibid.*, pp. 101-102; Kenneth L. Holmes (ed.), *Covered Wagon Women Diaries & Letters from the Western Trails, 1840-1890* (Glendale: The Arthur H. Clark Company, 1983) Vol. 1, p. 260; Marjorie Tisdale Wolcott (ed.), *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Marjorie Tisdale Wolcott, 1929), p. 53.

106. Eve Ball, *In the Days of Victorio, Recollections of a Warm Springs Apache* (Tucson: University of Arizona Press, 1970), p. 46 (hereafter cited as Ball, *Victorio*). Mangas Coloradas' two wives were killed but he escaped with his son Mangas. The Mimbres Apaches called themselves the Tcihene.

107. Thrapp, *Mimbres Apaches*, p. 19; Edward Holland Spicer, *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960* (Tucson: The University of Arizona Press, 1962), p. 245. Historians have used several spellings for the name of this important leader of the Mimbres Apache band. A reprint of John T. Hughes' 1847 publication in William Elsey Connelley, *War with Mexico, 1846-1847: Doniphan's Expedition and the Conquest of New Mexico and California* (Kansas City, Missouri: Bryant and Douglas Book and Stationery Co., 1907), p. 325, clearly and repeatedly names the Apache "Red Sleeve." Bartlett, in 1851, used Mangus Colorado, but the more modern sources favor Mangas Coloradas.

108. *Ibid.*, p. 20; Bartlett, *Personal Narrative* Vol. 1, pp. 227-229. In Ball, *Victorio*, p. 46. James Kaywaykla, a friend of Mangas Coloradas' grandson, Frank, claimed that after the Apaches cut off the miners' supplies the miners fled for Mexico, but not one of them made it.

Chapter 2

The Mexican War and Early American Period, 1846-1848

Remnants of disagreements and political ugliness marred relations between Mexico and the United States, now including Texas, until a mechanism was contrived to bring about a violent decisive confrontation. Proponents of Manifest Destiny justified the desire for additional land as ordained from a higher source. The contrived confrontation in southeast Texas gave way to a full-blown American invasion, by land and sea, of Mexican-held territory by various contingents of United States military (and paramilitary) forces.

The Army of the West was assigned the task of securing New Mexico and California from the Mexican empire. Part of this major force, a Battalion composed of forceably displaced Mormons, augmented by a handful of United States Regulars, was to cross the barren Southwest and establish a wagon road to the coast of the still-to-be-won addition to the American Republic. This they accomplished. But, in the diplomatic maneuverings of the settlement orchestrated by various bureaucratic envoys, the new boundary was unfortunately defined in a manner that allowed strong-willed Mexican representatives to claim a major portion of the desired area and thereby hatch another stumbling block to peaceful coexistence.

The Army of the West

Hostilities were smoldering between the United States and Mexico following the establishment of the Republic of Texas as a sovereign nation in 1836. In 1840 an international arbiter, the King of Prussia, had adjudicated American citizens' claims against Mexico for losses during Mexico's revolution to the sum of $2 million of which only a few minor installments had been paid.[1] Although the Mexican Government warned of war if Texas were annexed by the United States, this action in 1845 did not, in itself, trigger hostilities. There were also the failure of commercial negotiations and a minor dispute over a small strip of land claimed by Texas, but these too were insufficient to provoke either side to war.[2]

To complicate matters many influential people in the United States, in the North and South, were looking to the West for territorial expansion. The administration in Washington was interested in acquiring part or all of California before the British expanded southward from the jointly held Northwest Territory. In addition, there was still the disputed territory in southeastern Texas, and the northern provinces of Mexico were very enticing, especially when the advantages of Pacific ports were to be considered. In the autumn of 1845, President James Knox Polk, an ardent expansionist, sent John Slidell to negotiate with Mexico for California up to about the latitude of San Francisco. Slidell was authorized to pay up to $25 million and to assume Mexico's outstanding debts to the United States.[3]

Unfortunately, Mexico's government was in the midst of continuing turmoil. Santa Anna had been disgraced and many citizens were still smarting over the loss of the major buffer between themselves and the United States with the annexation of the Texas Republic. Early in 1846, General Mariano Paredes unseated the government led by Jose Herrera and installed himself as the head of state.[4] Paredes was even more vehement than his predecessor and refused to discuss the issue of the Texas boundary or the sale of more Mexican soil. Polk took exception to the affront and proceeded to push the issue in another way.

Several factors caused Paredes to take such an inflexible position toward the United States' offer. Paredes and the rest of the Mexican Government thought that war between the United States and Great Britain over the Oregon issue was inevitable, and the Americans could surely not risk fighting on two fronts with such powerful adversaries. Also it

was thought that if war did come, there would be internal division within the United States leading to a southern slave rebellion and New England's secession.[5]

Furthermore, as a result of foreign-observer flattery, Paredes thought that his European-trained (and therefore "better") 32,000-man army would make quick work of the 7,500-man standing army maintained by the Americans. Evidently his political judgment was little better than his military judgment for, in addition to overrating his gaggle of rabble and ineffective officers, Paredes assumed that a victorious war with the "northern aggressor" would prove popular and cement his control over Mexico.[6] Unfortunately for Mexico, Paredes and his government were wrong on every count.

Polk's plan for conducting the war with Mexico was relatively simple, at least on paper. A naval blockade of eastern Mexican ports would be continued, American land and naval forces would seize California (and New Mexico in the process), and General Zachary Taylor would cross through Texas, invade the northern provinces of Mexico, and conquer Mexico City. This accomplished, Mexico would be forced to come to favorable terms quickly.[7] To support the anticipated action, Polk sent secret instructions to the United States Pacific Naval Squadron and to the American Consul in California, Thomas A. Larkin. He also sent orders to General Taylor to move his troops into the disputed Texas territory.[8]

The original border of Texas had been the Nueces River; however, the leaders of the newly created state claimed all the land between the Nueces and the Rio Grande. It was into this disputed strip that Polk sent Taylor and his soldiers on March 28, 1846. The Mexicans were outraged by the deliberate provocation, and on April 12, General Pedro de Ampudia informed Taylor that the Americans were invading foreign soil and requested complete withdrawl within 24 hours. When Taylor refused to respond favorably, Mexican cavalry units were ordered across the river and on April 25 fought a skirmish with a small American contingent that resulted in the loss of several American lives.[9]

Taylor assumed the offensive, and by the time Polk learned of the encounter, "Old Rough and Ready" had already scored decisive victories against superior odds. Despite the lack of a formal declaration, war with Mexico did in fact exist. Following a cabinet meeting on May 9 in which the Mexican rebuffs of Slidell's overtures were discussed without any firm decisions, the news of the first hostile encounter reached Polk.[10] Two days later Polk asked Congress to declare formally what already existed, and on May 13 both houses approved a bill authorizing Polk to accept 50,000 volunteers and appropriating $10 million for "national defense."[11]

In slightly more than a month, one of the factors that had probably influenced Mexico in her hard line attitude was quietly put to rest. The United States gave up its "54-40 or fight" attitude in the northwest and peacefully compromised on an extension of the 49th parallel, which already existed east of the Rockies, as a border between American territory and British Canada. On June 15, 1846, another 285,000 square miles had been added to the nation without expending money, munitions, or men.[12]

Secretary of War William Learned Marcy gave instructions to his various leaders to escalate the war with Mexico vigorously. To Colonel Stephen Watts Kearny (Figure 13) he assigned the tasks of seizing Santa Fe, establishing a civil government there, and moving on to help secure California as quickly as possible. Kearny was a logical choice as he had served several years protecting commerce along the Santa Fe Trail between Missouri and the Mexican capital of New Mexico.

Marcy further suggested that Kearny make use of civilian volunteers and that Council Bluffs, Iowa Territory, where the Mormon emigrants were camped, might be a likely place to pick up a large group. However, he cautioned Kearny not to enlist Mormons beyond a strength totaling one-third of his command.[13] Kearny was occupied making the many-fold preparations for a major invasion operation, so he delegated the responsibility of organizing the Mormons to Captain James Allen.[14]

Marcy was also greatly concerned about the probable lack of roads in the far western theater of operations. One of the issues that was ever present in United States political and military thinking was the unrelenting problem of inadequate roads and other transportation media. From the time of Braddock's ill-fated expedition of 1755, inadequate facilities had dramatically illustrated the necessity for moving troops and military supplies rapidly from one place to another. Following the War of 1812, Congress had asserted that lack of good roads had led to the initial disasters and inflated the cost of the

Figure 13. General Stephen Watts Kearny. Photo courtesy of the Museum of New Mexico, #9938

conflict by perhaps as much as $60 million.[15]

Acutely aware of these previous problems, Kearny foresaw that California and the Pacific coast would never be securely American until a viable overland wagon route linked these western territories (still to be wrenched from Mexico) to the eastern states. The only contemporary alternate routes were either a voyage of some 18,000 miles around the tip of South America, requiring 4 to 6 months, or a 4 to 6 week three-stage sea and land voyage that involved crossing from the Atlantic to the Pacific over the isthmus of Panama.[16]

When Kearny's Army of the West marched out of the assembly point at Fort Leavenworth it was followed by 414 civilian merchant wagons, including those of James Wiley Magoffin, Charles Bent, and Ceran St. Vrain. Many of the various military units had difficulty in finding either the proper route or their equipment. Captain Richard Hanson Weightman's artillery company, composed of Germans, became separated from their baggage and were forced to camp without it, almost creating a mutiny when the men learned they would have to travel without breakfast the following day.[17]

The Mormon Battalion

In parallel with the development of the United States' difficulties with Mexico, the Mormons had experienced their own problems. Subjected to increasingly hostile pressure from other citizens fearful of their growing political influence and miltia strength, the Mormons had held out in Nauvoo for two years after founder Joseph Smith's death at the hands of a mob in the Carthage jail and had attempted to retain their Zion in Illinois under the leadership of Brigham Young. Young, however recognized that his people must abandon their well-constructed holy city of Nauvoo or be destroyed. The consequent mass migration would require many things, but the need for money to purchase wagons and supplies for the journey to a yet unselected promised land was above all other considerations.

Young sent Elder Jesse C. Little to Washington to sound out the possibilities of the paid enlistment of a body of Mormons to fight in the war with Mexico. Little secured an audience with President Polk, and on May 25, 1846, Polk transmitted the appropriate orders to Kearny.[18] To the Mormon hierarchy, the enlistment of a battalion would mean that 500 of their best men would be taken to California at federal government expense, and once there they would have an opportunity to assess the land for possible emigration of the remaining Saints.[19]

Captain James Allen went to the camps of the Mormons in Iowa Territory, and although the Saints were not too keen on fighting for a country from which they were attempting to flee serious persecution, Allen was successful in recruiting the required Battalion of 545 men.[20] He organized them in five companies (A, B, C, D, and E), whereupon he was breveted Lieutenant Colonel in the United States Army.[21] By accepting the Battalion, the United States government hoped to conciliate this persecuted religious minority and to avert the possibility of their joining the British in the Pacific Northwest.[22]

The volunteers were to receive pay, rations, clothing, and when discharged a year later, permission to keep their muskets and accouterments.[23] Each man was to receive army pay of $7 per month and an additional $3.50 per month for clothing allowance. To help support their families while they were away, the men agreed to turn over their $42 clothing allowance and march in the clothes in which they stood. They likewise voted to send home much of their monthly pay.[24] The Battalion left Council Bluffs, Iowa Territory, on July 16, 1846, and marched to Fort Leavenworth, arriving there August 1.[25] This completed the first stage of an epic march (Figure 14) that would terminate in San Diego, California.

Despite the conclusions of many historians that the Mormon Battalion was just that, it was not composed entirely of Saints. Disregarding the military staff and associated guides and volunteer citizens, Bieber has stated that there was one non-Mormon member named [John] Allen.[26] The major portion of a diary rescued from a gutter in San Antonio in 1913, however, has proved that there were at least two other non-Mormons enlisted in the Battalion's Company E. Two young Englishmen, Robert Walton Whitworth and William Biddome (or Beddome), left England for America in 1846 "to play the deuce with the Buffaloes [sic] and Bears."[27] Whitworth had used his last cent to pay for passage, and his partner was only a little better off when they landed in New Orleans. They naively left their luggage on the ship while they had a look around and ended up losing their weapons and other personal items.

Whitworth and Biddome traveled to La Grange, Missouri, by way of river steamer from New Orleans to St. Louis, and worked on a farm near La Grange for about six weeks. But as "money was scarce and dollars were not so plenty as work," they resolved to continue up the Missouri River and hire out with the American Fur Company.[28] At Fort Leavenworth they became engrossed in the activities of the Mormon Battalion, outfitting for the trek west, and struck up a conversation with one of the men.

> *We had never thought of volunteering before, but we were almost immediately seized with a desire to live in one of the little white tents, so we entered into conversation with one of the men, who was very talkative, he told us that they were all Mormons and that they had enlisted for 12 months to go to California, there to be discharged with their Arms and Ammunition, and that their pay was 10 dollars per month and find their own clothing. He said they wore no uniform, which suited us so well that we told him that we should like to volunteer, upon which he took us to the Orderly Sergeant of his company [E], who put down our names and ages, places of birth. . . .*[29]

The date was August 4, 1846.[30]

Meanwhile, from Bent's Fort in southern Colorado, Kearny sent Captain Philip St. George Cooke (Figure 15) and James Wiley Magoffin to Santa Fe with an escort of 12 Dragoons to arrange peaceful surrender terms with Mexican Governor Manuel Armijo. Although Cooke was apparently not cognizant of the negotiations, Magoffin arranged a plan with Armijo whereby the Governor would make only a pretense at resistance.[31]

While the Mormons waited for their supplies and equipment at Fort Leavenworth, Kearny, having proceeded south from Bent's Fort with the main military force, had received notice of his promotion to Brigadier General and was nearing Santa Fe, the seat of the Mexican Government for the vast province of New Mexico.[32] With the Army of the West's approach, Governor Armijo gathered about 4,000 New Mexicans and Indians at Canoncito near Glorieta Pass and placed them at the command of Colonel Manuel Pino.

In places the steep canyon walls were separated by as little as 40 feet and offered a nearly ideal defensive position. Passage was further restricted by some poorly placed abatis, and an artillery battery commanding the passage had been emplaced about 300 yards away.[33] Governor Armijo, however, chose not to risk the outcome (or fulfilled his bribed commitment) and pulled the defenders out without firing a shot and fled south with his treasure and livestock with the Mexican regulars as his personal bodyguard. Kearny and his forces proceeded to Santa Fe without opposition and peacefully occupied the seat of Mexican influence for New Mexico on August 18, 1846.

The Mormon Battalion remained in garrison at Fort Leavenworth until August 13. While waiting, they were issued tents, arms, and other equipment. They also received their clothing allowance for the

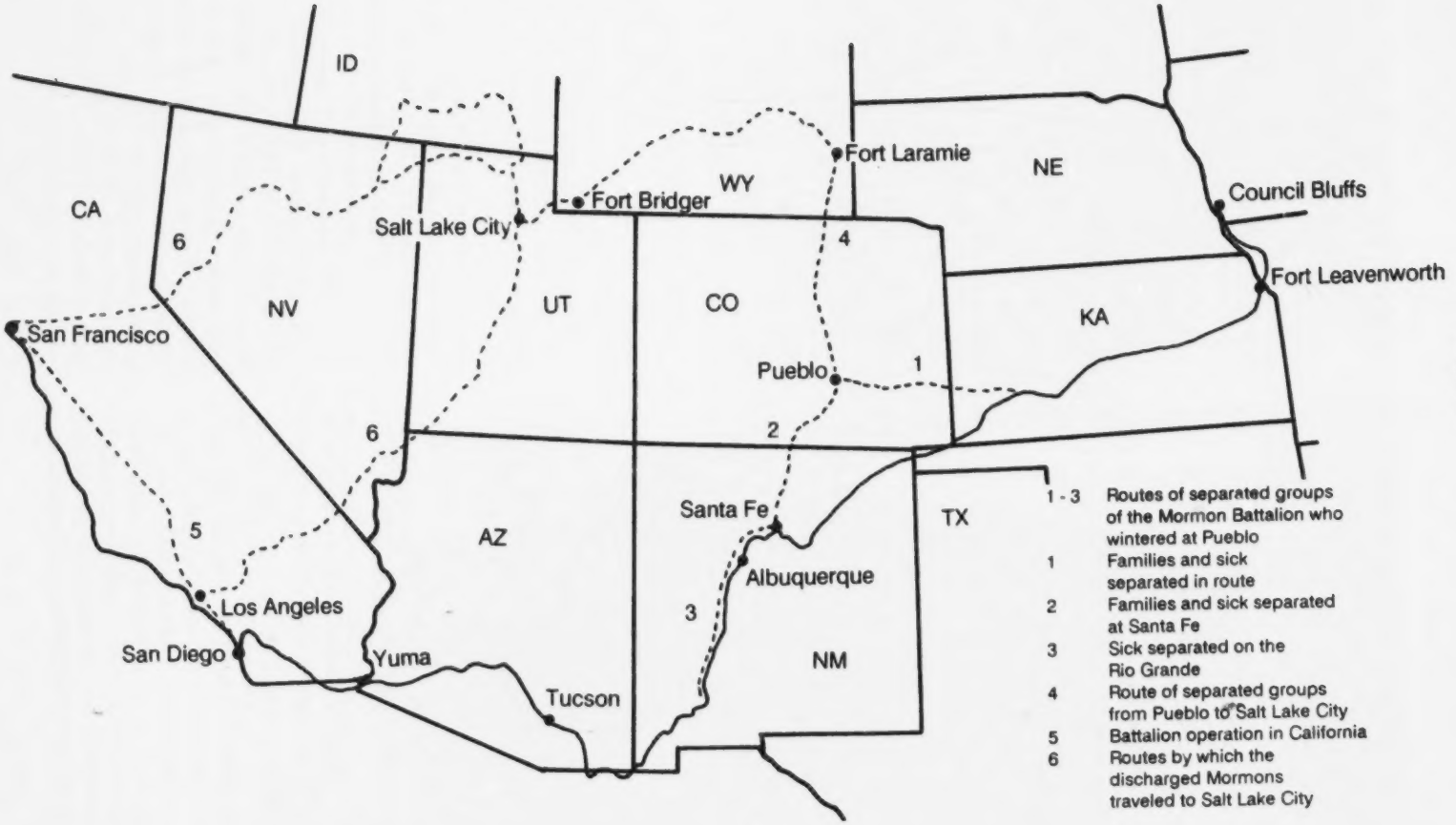


Figure 14. The Mormon Battalion Trail (Cooke's Wagon Road).

Figure 15. Colonel Philip St. George Cooke, circa 1858-1861. Photo courtesy of the Museum of New Mexico, #9854.

entire year, $42 each, of which most was sent back to their families and the Church. Companies A, B, and C pulled out on August 13, with D and E following two days later. Colonel Allen, however, had fallen ill and had to remain behind.[34] Whitworth recorded that he found out for the first time what it was like to carry his heavy musket and other equipment on a hot, dusty day. Before they proceeded two miles, he was parched with thirst.[35]

On August 23, Colonel Allen died of his illness, but the news did not reach the Battalion until August 29, while encamped at Council Grove in present-day Kansas. This touched off a brief problem regarding leadership.[36] The members of the Mormon Battalion were convinced that the terms of their enlistment gave them some authority over the selection of higher ranking officers. They moved quickly to confirm Captain Jefferson Hunt, one of their own, as their new commander.

The United States Army commander at Fort Leavenworth, however, immediately designated one of his First Dragoon officers to take Allen's place. First Lieutenant Andrew Jackson Smith soon caught up with the expedition and assumed command on the basis that he was the only regular army officer there and that no one else had the authority to sign for the government property issued to the Battalion.[37] Actually it was a compromise to a degree because the Mormons preferred the Lieutenant over Colonel Sterling Price (Figure 16) of the Missourians whom they passionately hated for his participation in earlier persecution of the Saints in Missouri.

During the march from Fort Leavenworth to Santa Fe, the men of the Mormon Battalion faced many ordeals. They were wounded by Indians; disheartened by forced separation of comrades and families; weakened by illness, lack of water, and short rations; and suffered blistered feet. They suffered on the march to the extent that even young Whitworth sometimes walked into the camp long after dark, despite the fact that straggling could be very dangerous, not only from Indians but also from the many rattlesnakes. Some days they marched as many as 31 miles and camped without wood or water with which to prepare their meager meals.[38]

The ailments suffered by the Mormons caused them more problems than the immediate discomfort, because they had been admonished by Brigham Young, before leaving Council Bluffs, to eschew drugs in the case of illness and rely instead on the laying on of hands and spiritual healing. The Battalion considered Assistant Surgeon George B. Sanderson, the physician for the command, a "fiendish doctor" when he lined up the sick at morning call and forcibly, if necessary, administered massive doses of calomel, one of the army's universal

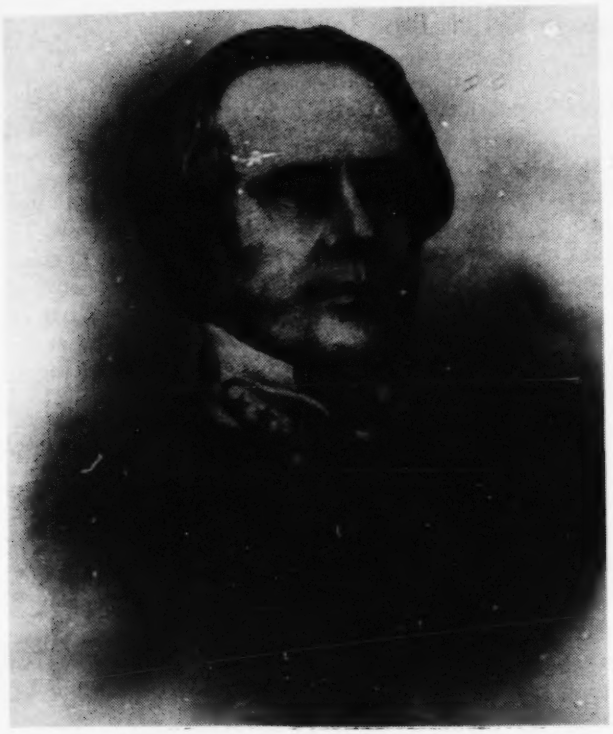


Figure 16. CSA Brigadier General Sterling Price. Photo courtesy of the Museum of New Mexico, #10351.

cureall s.[39] One of the Mormons who had medical experience, William L. McIntyre, was assigned to assist Sanderson but was permitted little opportunity to practice.[40]

The Mormons had not yet arrived at Santa Fe when General Kearny organized a portion of his forces for their march to California. Other larger segments of the Army of the West would remain to pacify New Mexico and prepare for a thrust directly south into the heart of the Mexican Empire. Kearny departed on September 25 with about 300 mule-mounted Dragoons, a small staff, including Topographical Engineer Lieutenant William Hemsley Emory, and a small wagon train.[41] While encamped on the Rio Grande near La Joya, Kearny learned of Colonel Allen's untimely death and on October 2 instructed Captain Cooke, of the First Mounted Dragoons, to return to Santa Fe and wait there for the Battalion to arrive.[42] Kearny was not sympathetic to the Mormons' desire to have one of their own men in charge. He wanted a strict disciplinarian and a regular army officer in charge of his strategic reserve.

Perhaps to compensate Cooke for the disappointment of missing out on the potential action, Kearny promoted him to Lieutenant Colonel of the volunteers, jumping over the rank of Major. With his dreams of glory in California completely in ruins, Cooke returned to Santa Fe to wait for the Mormon Battalion, and Kearny moved on.[43] A little south of Socorro, on October 5, Kearny met Christopher "Kit" Carson on his way east with messages from John Charles Fremont and others in California. Carson carried the erroneous information that the Mexicans there had capitulated, so Kearny stripped his command down to about 110 men and geared for rapid travel to the coast, leaving the entire task of opening a wagon road to Cooke and the Mormons.[44]

Cooke was a highly efficient career officer of the Mounted Dragoons. He was a 37-year-old strict disciplinarian, a rangy 6 feet 4 inches, and had a temper and vocabulary to match his red beard.[45] Cooke's family had settled in Virginia by the time he was born on June 13, 1809. The census of 1810 indicated the Cooke household consisted of the parents, 3 sons, 5 daughters, and 19 slaves, a more than average number for a physician. Cooke's record at West Point was unspectacular, but he had become a good soldier. He was not a stranger to the New Mexico territory, for he had fought the Comanches and Kiowas on the Santa Fe Trail in 1829 under Major Bennet Riley. During the Indian wars in Illinois against the Sac and Fox tribes, he had led an assault on a Mississippi island to help finish off the Black Hawk War in the summer of 1832.[46]

The cavalry had not existed in the United States Army prior to 1833, and Cooke not only participated in the events leading to its inception, but also he later literally wrote the book on cavalry tactics.[47] In 1840, Cooke was placed under Kearny's command for the first time and during the next 4 years was shielded by his commander from serious legal action at least three times for overzealous behavior. By 1843, Cooke had been back on the Santa Fe Trail, protecting Mexican and American caravans against Indians and "Texas Invincibles" led by the likes of "Colonel"

Jacob Snively.[48] Now he was saddled with wetnursing a bunch of undisciplined civilians across an uncharted wilderness.[49]

Some of Price's mounted Missourians had reached Santa Fe on August 2 and Cooke was concerned about the delay in the arrival of the Battalion.[50] He sent word that if they were not in Santa Fe by October 10, the Battalion would be rejected from service. This dispatch reached Lieutenant Smith and the Mormons on October 3 and created some deep concern.[51]

Previously, on September 16, at Ingalls (by the Arkansas River in present-day Kansas), a group of sick Mormon soldiers and several families had been separated from the Battalion and sent to present-day Pueblo, Colorado, via Bent's Fort. The volunteers claimed they had been assured that this would not be considered and protested, but to no avail. The disgruntled remainder marched on to Sante Fe via the nearly waterless Cimarron cutoff. Captain Nelson Higgins (Company D) was placed in charge.[52]

A special detail was made up of 65 men from each company to implement a forced march to Santa Fe and fulfilled the requirements established by Cooke by reaching the city on October 9.[53] The remainder, including Whitworth, struggled along as best they could and attained their interim destination on October 13.[54] When the last of the stragglers wandered in, the troops at Santa Fe, commanded by Colonel Alexander William Doniphan (Figure 17), gave the men a 100-gun salute in honor of the occasion, "but Cooke grimly reserved the right to give them hell."[55]

When Cooke assumed command from Smith, his first concern was the obvious debilitated condition of the men and the large number of non-combatants still with the column. He immediately set about culling the Battalion a second time for the coming ordeal. According to Cooke's report, 486 men made it to Santa Fe, and of these he found more than 80 unfit for the anticipated long march. He sent them and most of the accompanying families, a group of 20 women and children, and all 20 of the allocated laundresses to winter quarters near what is today Pueblo, Colorado. Captain James Brown (Company C) was detailed for this duty. Later three Company C men, Sergeants Joel Judkin Terrell (or Terrill) and David Wilkin and Corporal Jabez Townsend Nowlin decided to accept a reduction to the ranks and to leave with the rejected persons.[56]

Cooke's efforts to get the Battalion ready were delayed because the commissary's salt pork and beef cattle did not arrive until October 16 and 17, respectively.[57] He now lost little time in finishing preparations for the march. The guides advised Cooke to take provisions for 120 days, but he countered that 60 days' worth was as much as the teams could handle.[58] Actually, the 60-day supply included only flour, sugar, coffee, and salt. There were only 30 days' worth of salt pork and 20 of soap. Considering the scarcity of water along the way, the lack of soap was probably not a problem.

There were a total of six ox-team wagons for the Battalion; each of the companies had three mule-drawn wagons; and the quartermaster (Lieutenant Andrew J. Smith), paymaster (Major Jerimiah H.

Figure 17. General Alexander William Doniphan. Photo courtesy of the Museum of New Mexico, #7174.

Cloud), physician (Dr. George B. Sanderson), and staff (Smith's assistant, Second Lieutenant George Stoneman, interpreter and guide Dr. Stephen G. Foster, and Willard Preble Hall) had one mule-drawn wagon each.[59] In addition to the rations, the wagons contained tents, picks and shovels, ammunition, packsaddles, and other assorted impedimenta.[60]

Cooke also allowed two of the Mormon captains and two sergeants to take their wives with them because they had provided their own wagons, mules, and extra supplies.[61] To complete the assemblage, several of the Army staff and a few of the Mormon officers were accompanied by personal servants; teamsters and Mexican shepherds were hired, and a Santa Fe trader, identified only as Chacon, went along with a pack train of goods for the anticipated California market.

By October 19, everything was as ready as it was going to be, and Cooke concluded his paperwork, including seeing that the men were paid by checks, which they sent to Council Bluffs by John D. Lee and Howard Egan who had been assigned to accompany the Battalion as far as Santa Fe specifically for this purpose. Lee and Egan were joined by Lieutenant Samuel Gully and Private Roswell Stevens (both of Company E).[62] The Battalion marched five or six miles out of town and camped in disorder along a sandy creek bottom (Agua Fria) where there was no grass for the stock, and where they were in potential danger from a flash flood. When Cooke arrived he was quite upset because, in addition to selecting an improper camp site, the men had neglected to draw necessary equipment such as buckets, rope, and picket pins. To make matters worse, they had been talked into handing 10 of their precious mules over to another command.

The Battalion got its first real taste of Cooke's disciplinary methods that night. He sent men back without their supper to reclaim the mules, showed others how to water the cattle without using buckets, issued a set of regulations, and ordered an early start the next day. Blunders continued the next day and delayed the Battalion until the 19 cattle and 14 mules that had strayed during the night were recovered. To make his point even clearer, Cooke placed the men on three-quarters rations. According to James Van Norstrand Williams (Company E), this equated to twelve ounces of flour, two ounces of sugar, one and one-half of coffee, and one and one-half pounds of fresh meat per day, but the men did not complain too much because the Colonel also did not approve of long and unnecessary forced marches.[63]

Cooke's temperament may have been in part a result of his frustration over leading a band of civilians and blazing the wagon road rather than achieving a notable military position amid the blazing guns of the armies invading Mexico. His service to the nation, however, and the resulting resiliency of his fame were probably far greater than anything he could have achieved elsewhere. It was probably this frustration that caused him to be so harsh-tongued and strict with the Mormons. And although his and their journals note severe dissatisfaction with the other's attitudes and performance at times, each developed a strong, if grudging, respect for the other.

As the Battalion advanced southward, Cooke assigned 10 to 20 men to each wagon. These men, carrying full knapsacks and muskets, pushed and pulled the wagons through the sand along the river banks while the advanced detachment, which Cooke called his "pioneers," were sent ahead to clear obstacles.[64] When the men were not pulling on the ropes, Cooke marched them in two single files, spaced just far enough apart so that they packed the earth for the wagon wheels.[65]

Cooke was extremely fortunate to have several experienced guides for the expedition. At the outset, the chief guide was the "two-gun" part-Cherokee, Pauline Weaver, sometimes known as Paolino or Powell Weaver. He was a former trapper, hunter, and agent for the Hudson's Bay Company. He did not like the cold weather, so by about 1830 he had established himself in the Southwest and was a noted peacemaker between the Whites and Indians.[66]

Another guide was Jean Baptiste "Pomp" Charbonneau, the son of Toussaint Charbonneau and Sacajawea, both of the Lewis and Clark expedition.[67] Shortly after the Battalion passed by present-day Albuquerque and crossed the Rio Grande, Weaver became dangerously ill and was replaced as chief guide by Antoine Leroux. The new guide arrived from Kearny's column on November 2 with three Mexican subalterns (Appolonius, Francisco, and Tesson or Tasson) and joined the Battalion near present-day Valverde. Leroux was a "mountain man's mountain man" and served the venture well.[68]

William Byram Pace, acting as an aide to Lieutenant James Pace (Company E), noted in his autobiography that while the Mormon Battalion was marching down the Rio Grande, and still within the settled area, they were able to purchase onions and other garden products to add to their curtailed rations, which kept the Saints in fair spirits. He also noted that there was a vast difference in men as to their ability of endurance under the hardships and reduced rations. This would become increasingly evident when the marches became more difficult and the rations diminished further.[69]

Also, while they were still in settled country along the Rio Grande, Cooke traded as many of the heavy military wagons as he could for lighter ones. This was not easy, because many of the citizens refused to trade or sell anything to the Americans, and even if they did, they were frequently insulting.[70] Regardless of this umbrage, pride was forfeited because the replenishment of the mobile commissary was necessary wherever possible. It required a 400-pound ox and 16 sheep to furnish meat rations every day, and some of the men, such as Ephraim Knowlton Hanks (Company B), attempted whenever possible to supplement their food allowance by hunting.[71] Whitworth and his companions tried fishing in the Rio Grande and on one occasion shared a beaver "from some French Trappers."[72]

By November 9 the Battalion reached the point were Kearny and his command had left the river near present-day Truth or Consequences, New Mexico. Cooke had been instructed to try to travel the same trail with the wagons. Cooke's guides advised him that it would be impossible to do this, however, and that his best chance lay in cutting cross-country to the so-called Janos wagon road farther south.[73] While at this camp, Cooke took stock of the situation and was very depressed. The Battalion had been on half-rations since the first of the month and he doubted his ability to reach the coast with the men, supplies, and equipage he had.

To remedy the situation, Cooke decided that on the following day he would send a third detachment of 55 men (the "sick and least efficient") back to Santa Fe and, if possible, on to Pueblo to winter with the previous two groups of Saints and their families.[74] He detailed Lieutenant William Wesley Willis (Company A) to head the group and included private Thomas Woolsey (Company E) as pilot, who was also instructed to proceed from Santa Fe to Council Bluffs carrying dispatches.[75] Woolsey had also accompanied the first separated detachment to Bent's Fort and Pueblo and had returned to the Battalion six days previously, only to be assigned the escort task again.[76]

To provide for the men, Cooke authorized 26 days' rations of flour, at 10 ounces, and pork, at half a pound. This would allow the invalid men about 20 percent longer to return to Santa Fe than it had taken the Battalion to reach this point, albeit on reduced rations.[77] Included in the benefits, Cooke calculated that it would reduce the amount of supplies carried west by 1,800 pounds while increasing the rations for the remaining men by 17 days of meat and 13 of flour. At these weights, the food would aggregate 1,608 pounds, so Cooke must have been including the containers. The frequency of pork allotment is not known; however, the 26 days' rations of flour for 55 men would translate to less than 5 days (at half rations) for the remaining men![78] In addition, and most important, according to Tyler quoting Willis, the men only received

> *five days' rations and two dressed sheep, as food for the sick. Our loading for the one wagon consisted of the clothing, blankets, cooking utensils, tents and tent poles, muskets, equipage, and provisions, and all invalids who were unable to walk. With some difficulty I obtained a spade or two and a shovel, but was provided with no medicines or other necessaries for the sick except the mutton before referred to, and only five days' rations, to travel near three hundred miles.*[79]

In a macabre way, the rations did go a little farther than Willis anticipated, because during the 15 day trip to Santa Fe, three of the Saints, Privates John W. Green (Company C), Elijah Norman Freeman, and Richard Carter (both of Company B) had perished.[80]

Meanwhile at the main column camped by the Rio Grande, Cooke planned to make the Battalion even more efficient by packing supplies on some of the mules and oxen and leaving 31 tents, 149 tent poles, 12 camp kettles, 26 mess pans, and 2 wagons to be picked up by Captain John Henry K. Burgwin. Plans completed, the group under Lieutenant Willis left midafternoon on November 10, 1846.[81]

The following day the Battalion, now supposedly

honed to assault the wilderness west of the Rio Grande and pioneer the wagon road that had escaped de Anza and others, continued down the river a few miles farther. William Coray's wife (Melissa Burton Coray) had been riding with Mrs. Lydia Edmonds Hunter (who was three and one-half months pregnant) in Captain Hunter's wagon. Hunter's team was becoming jaded, and he feared they might give out entirely. To lighten the load it was necessary that Melissa find other means of travel.

Coray had been riding an Indian pony he purchased for $25 on July 24, and now Melissa joined him on one of their mules. Mrs. Coray was apparently unused to the saddle, for according to her husband she "was very fatigued at night."[82] During the day Cooke recorded that three more men went to join the returning party; two were ill, but one was "the only active and efficient man of the whole [returning] detachment," making a total of 58 for those backtracking to Santa Fe.[83]

When the Battalion left the Rio Grande on November 13 near present-day Hatch, the command included 339 men, 4 women, 15 wagons, and a large herd of cattle and sheep.[84] The Battalion proceeded generally west (Figure 18) along what Whitworth and others referred to as the "Old Spanish Trail" and Cooke called the Sonora Road.[85] The men camped that night near a huge natural cistern that they named Foster's Hole. The water at this natural cistern was about 100 feet lower than the camp and surrounded on three sides by overhanging rocks. It was nearly inaccessible for the animals. However, the men were able to draw the water with ropes and buckets and empty it into two lower basins where two or three animals could be accommodated at a time.[86]

Either the selection of the men to return to Santa Fe was not sufficiently careful or more were rapidly succumbing to the short rations and rigorous marches. Thomas James Dunn recorded that in his company (B) there were three men sick.[87]

On November 14, 1846, the men camped near a mountain stream and noted the remains of a stone house, fragments of pottery, and other Indian artifacts. It is interesting to note that the men and officers of the Battalion frequently recorded observing different phenomena or interpreted events in diverse ways. If they mentioned the abandoned structure, however, they universally recorded that it was precisely 36 feet square and contained exactly five rooms.[88] Only Samuel Hollister Rogers (Company B) noted that the ground appeared to have been cultivated sometime long ago.[89]

The weather was miserable during the next day's travel. Cooke reported that the wind had blown a gale all day out of the west-southwest and that the weather had alternated between raining, snowing, and shining throughout the day. Williams recorded that he became wet and cold but was fortunate to have a little cayenne pepper and ground ginger left. He took about one-half teaspoonful, dry, which soon warmed his system.[90] When they camped for the night, the spring there was named for the worn-out white ox Cooke ordered slaughtered for "the smallest and poorest beef" imaginable. He calculated that they had 90 days of meat and 96 of flour remaining (on half rations) now that their numbers had been reduced for the last time.[91]

They were camped about six miles from a snow-clad mountain, and the men complained about the temperature and the quality of the ox which had made it this far only by continual beatings.[92] Williams did not care for the meat of the worn-out oxen distributed to the men. He preferred either a foot square portion of the hide or three to four feet of entrails to the "slimy ropy gelly [sic] looking stuff called beef."[93] If he were fortunate enough to draw the hide, he would singe the hair and scrape off any remainder with his butcher knife. After boiling the slab for three or four hours, he claimed it was as tender as tripe, and the soup most delicious. If instead he received guts as a ration, he turned them inside-out and, if water were available, washed them. Either roasted or boiled, he thought them "relishable."[94] Rogers noted that some of the men went hunting up a ravine and about five miles from the camp found a deserted vineyard with some tasty grapes still hanging on the vines, on which they feasted.[95] They were camped near the base of Cooke's Peak.

The 15-mile march the next clear, cold day brought the Battalion to a marshy water hole that was given the name "Cooke's Spring" by one of the Lieutenants in the command. Whitworth, perhaps because of having experienced winters in England, called it a "beautiful day."[96] Were it not for this spring, the only substantial and reliable source of water between the Rio Grande and the Rio Mimbres, the column would have taken another

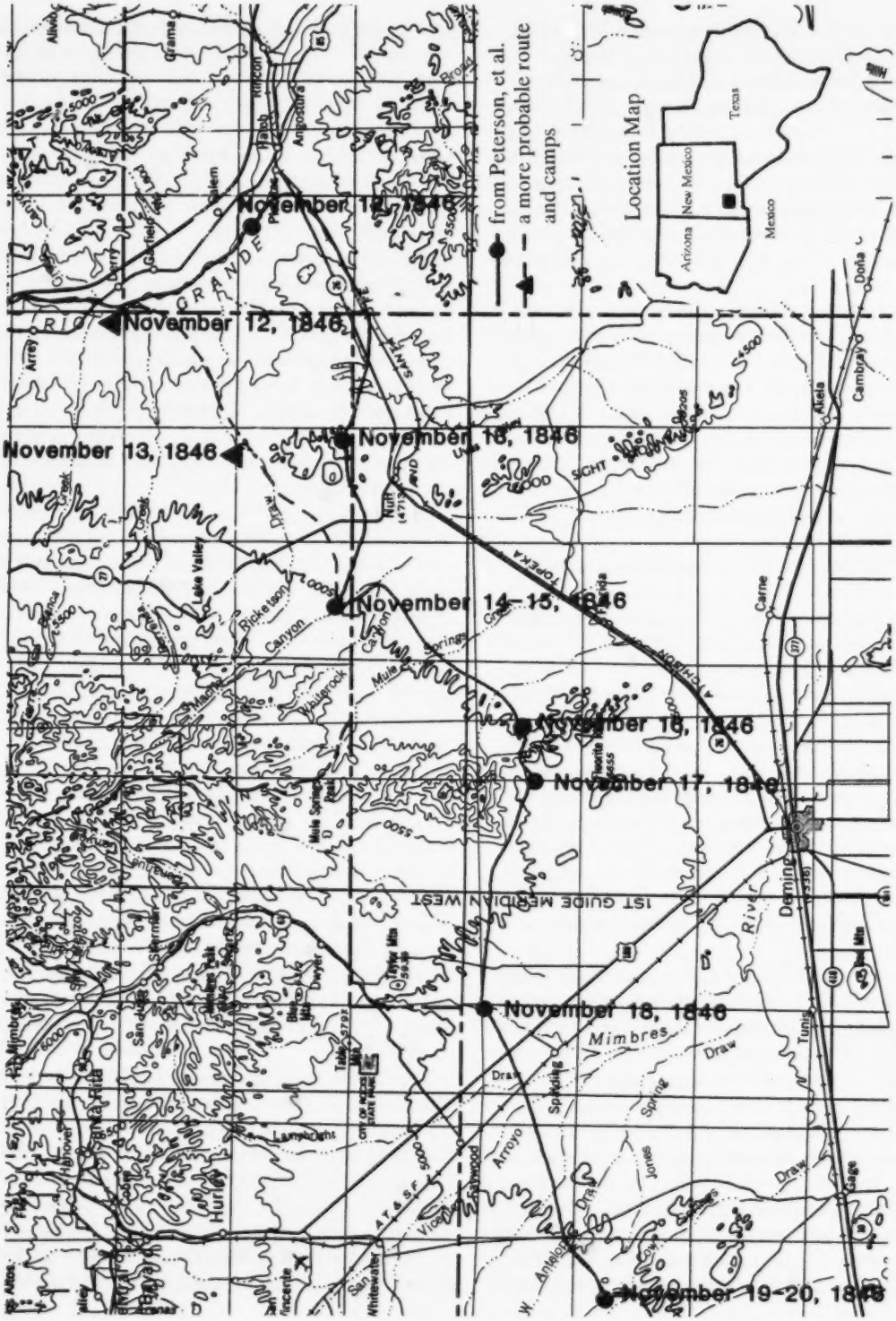


Figure 18. The Mormon Trail in the vicinity of Cooke's Peak.

route west, and the Cooke's Peak area would have had little historical significance. Cooke noted that many old Indian trails converged on the area (with his previous experience, he should have been a good judge of this) and that the grass was unusually poor and the water inadequate for their large group. Firewood was completely lacking, but the men made do with brush, weeds, and Spanish bayonets.[97] Again they noted that there was much broken earthenware littering the ground but did not speculate by whom it might have been made or why it was scattered so extensively.[98] Despite there having been a Mimbres village (San Miguel) there, the men made no mention of any ruins as they did earlier and later on the march.

On November 17, 1846, Cooke took up the march early but did not progress far because the guides reported no more water, except for a small spring near the west end of the canyon (today named Frying Pan Spring) and the Rio Mimbres, another 18 miles away. Accordingly a halt was called by mid-morning. Of the march through the canyon, Cooke grumbled:

> *Another bright morning, with a cold northwester [the wind has been shifting to the north dropping the temperature]. I marched to the southwest, up a winding valley and over the ridge, down to near the verge of the open prairie beyond; up a ravine to the right of the road (going to the north) is the water. In this mouth of the pass I was compelled to encamp a little after ten o'clock, having marched only three miles.*[99]

Cooke also noted that the ridge was covered with fine, hard, brown sandstone (Sarten sandstone) and that there were new plant varieties including an oak and Spanish bayonet. He also observed a flock of previously unnoted slate-colored "partridges" with plumed heads (California quail).[100]

It was fortunate that the day's progress was curtailed so early for it provided the men an opportunity to hunt, explore, and observe their surroundings in much greater detail than almost anywhere on the entire journey, and of even greater value, to record what they had observed. Perhaps most important to the Mormons was the discovery of the Massacre Peak Mimbres site adjacent to their campground. Henry Standage (Company E) wrote that

> *Close to our camp is some traces or proof of the Nephites once living here. Large entrances into the rocks and several pestles and mortars found made of rock, also some pieces of ancient crockery ware, showing that a people has once lived here who knew how to make such things, whereas the Indians who now inhabit these parts do not understand such things. We found a great many hieroglyphics engraven in the rocks, which resembled those found in Pike Co. Illinois. I take this for good circumstantial evidence of the Divine authenticity of the Book of Mormon.*[101]

Daniel Tyler (Company C) was perhaps not as well rounded as Standage, because when he recorded that "there were at least thirty holes cut in the solid rock, from ten to fourteen inches deep, and from six to ten inches in diameter," he attributed the Indian grinding mortars to be "for the purpose of catching and retaining water when showers occurred." Tyler also observed that mining had occurred there for precious metals.[102] Perhaps this was a further misinterpretation of the Indian cave entrances or that the mortars might have been used for grinding ore. Tyler, however, was better informed when it came to flora and fauna, because he made much the same observations as Cooke regarding the quail, oak, and Spanish bayonet.[103]

Sergeant Coray believed it to be indeed a strange land but went exploring nevertheless (or perhaps because of this). He, Captain Hunter, and their wives climbed a mountain to the south that towered 2,000 feet above the valley. The peak was deeply split at the top and the wind rushing through the gap made it almost impossible to stand.[104] Most likely they had climbed Massacre Peak. There are two important issues here: first, this was one of the rare references to any of the four Mormon women accompanying the Battalion beyond Santa Fe, and second, in view of the everpresent dangers, they were highly adventurous.

Not all of the comments by the men who made a record of the march were so adventurous or positive. Tyler noted that one of the guides (Cooke called him Tesson) had brought in two goats he had killed and that both were ear marked (a form of branding). Indians did not normally do this, so the animals must have "strayed from some passing herd or been stolen and then lost by some Indians."[105] Still of a culinary

nature, but with a somewhat distasteful manner, Standage also noted that "I eat guts today for the first time though many have eat[en] them before."[106] Even the Englishman, Whitworth, usually fascinated by his surroundings, complained that "the country [is] all overgrown with different species of the Cactus . . . the very grass is prickly, tearing our clothing from our backs. Nothing but Buckskin is prickle proof."[107]

The next day, Colonel Cooke rounded the western end of the canyon that was to bear his name and led the men toward the Mimbres River. The wind had shifted completely to the north, and water had frozen over in the storage vessels. The road crossed a tolerably smooth, firm prairie, and the Battalion made good progress to the river. Cooke, however, groused that he believed a shorter route should have been followed from their camp of three days before and that future travelers would find this to be true.[108] He was wrong.

The Battalion camped at the Mimbres River crossing on November 18 and the following day their march joined the Janos-Santa Rita copper mine road at Ojo la Vaca, where they camped for two nights. Cooke followed the old trade road a short distance south, but soon, with an oath and to the joy of the Mormons, ordered bugler J. C. Quigley to blow a right turn and proceeded west, obviously still on short rations.[109] Soon thereafter, on November 21, Whitworth noted that they "had our rations of flour raised one ounce, which was such an awful raise that we had quite a Jubilee at the idea of having one mouthful of bread more at a meal."[110] It was not all that grim, however, for on the same day he recorded that they met "some Spaniards" traveling to Santa Fe and traded for some dried beef and cooked Mescal root. Three days later, the men tried grinding mesquite beans to make bread as the Indians did but discovered that it did not entirely agree with their systems and "Our Doctor made a fearful hole in his purging medicines in this place."[111]

On this same day, November 24, one of the mules in Company B failed, and it was necessary for them to purchase a replacement from Sergeant Coray for $30. There must have been some grim satisfaction in this, for it was to save the mules of the company commander that Coray's wife gave up her place in Captain Hunter's wagon and rode astride nearly two weeks earlier.[112]

The difficulties continued with marches of 36 hours covering 40 miles without water and with 10-15 degree Fahrenheit temperatures at night.[113] It would get worse. The men found the roads extremely sandy in many places and, while carrying blankets, knapsacks, cartridge boxes containing 36 rounds of ammunition, and their muskets, they had to aid the teams by pulling on the wagons with long ropes.[114] And all this was accomplished on short rations. There was one moment of levity at the expense of the guide Charbonneau when it was learned that he had found it necessary to shoot his runaway mule to recover his saddle and pistols.[115]

One man, John Allen, became separated from the column and lost his gun and clothes, but not his life, to the Indians.[116] He was fortunate enough to come across the dead mule left behind by Captain Hunter and feasted sufficiently to be able to overtake the Battalion. The other men fared only slightly better because they were eating beef and mutton that was so poor that "eight ounces of it . . . was not half as nutritious as four ounces of good meat would be."[117] Even the hide used under the packsaddles was stripped of the wool, roasted, and eaten.

However, the men of the Battalion were not alone in their suffering in the desolate wilderness. By about this same time, General Kearny had clashed with Mexican Lancers at San Pasqual and suffered 16 men wounded and 17 killed. Lieutenant William Emory (one of the topographical engineers) attempted to comfort their 55-year-old scout, Don Antonio Robidoux, who was suffering from loss of blood and chilling in the sub-freezing temperature. Emory was able to find some coffee for him, even though the column had been out for many days, and Robidoux rewarded him with a cake

> *made of brown flour, almost black with dirt, and which had, for greater security, been hidden in the clothes of his Mexican servant, a man who scorned ablutions. I ate more than half without inspection, when, on breaking a piece, the bodies of several of the most loathsome insects were exposed to view. My hunger, however, overcame my fastidiousness.*[118]

Meanwhile, another western facet of the invasion of northern Mexico was progressing much more smoothly. Colonel Alexander William Doniphan, a Missouri lawyer, had led his First Regiment of Mounted Missouri Volunteers south from Santa Fe

and encountered a slightly superior force of about 1,000 Mexicans on Christmas Day 1846. A brief clash at Brazito (near present-day Vado, New Mexico, about 30 miles upriver from El Paso, Texas), routed the Mexican forces, leaving many of them dead and wounded. The Missourians suffered merely a few minor injuries during the only battle fought against Mexican troops in present-day New Mexico. Doniphan's men continued south and two days later occupied El Paso del Norte (present-day Ciudad Juarez), the key northern Mexico city, without further resistance.[119]

The Mormon Battalion continued westward despite frequent lack of water, and for the most part, followed trails established by Indians, Spaniards, or Mexicans. In some places, however, real improvements were required. Near San Felipe, California, they used axes to chop their way through a narrow canyon of solid rock until all except the two largest wagons could pass through. These vehicles were dismantled and reassembled on the other side.[120] They straggled into San Diego on January 29 and 30, 1847, five and a half months after leaving Council Bluffs. They were nearly naked, and many were without shoes. But they had brought through most of their wagons.[121] Several of the Mormon Battalion died along the way west before and after Santa Fe. Some, such as Jeremiah Willey (Company A), unknowingly lost family members at the winter camp at Pueblo or on the way there. Willey learned much later that on December 20, 1846, Elizabeth (probably a daughter) died, but on February 17, 1847, a son Jeremiah R. was born.[122]

Cooke issued his first order from his new headquarters at the San Diego Mission, congratulating the men on their achievement. He proclaimed that "History may be searched in vain for an equal march of infantry. . . marching half naked and half fed, and living upon wild animals, we have discovered and made a road of great value to our country."[123] How right he was. The wagon road thus opened by Cooke and the Mormon Battalion was the first through the Southwest to California and was immediately popular with the emigrants wishing to relocate there.[124]

The military made much use of Cooke's road, and still later, the Southern Pacific railroad and major highways followed a portion of the trail. It would be a pivotal factor in bringing the United States and Mexico to the brink of war and the eventual settlement of the border between the two nations. The fact that sheep and cattle were driven to California across the desert Southwest would quickly prompt others to copy and improve on the feat when the influx of miners and settlers created a sufficient demand.

On July 16, 1847, after performing garrison duty in California, the Mormon Battalion was mustered out of service at three o'clock in the afternoon.[125] Their commander had resigned in the middle of May and hurried to Mexico to serve at Vera Cruz and Mexico City. Cooke would remain in the service for another 25 years and participate in practically every important activity in which the army had a part.[126]

On July 20, 1847, one company of Mormons, 81 men and officers known as Mormon Volunteers, were mustered into the service of the United States at Los Angeles by First Lieutenant Andrew Jackson Smith, for an additional term of 6 months.[127]

Many others would stay to work on the ranches and farms and in the gold fields. Whitworth worked for about 6 weeks at the Issac William's ranch where he helped butcher cattle and recorded "cattle are not worth more than $4 a head, and no sale at that. Beef is plenty as dirt almost."[128] How the discovery of gold would quickly change all that! Indeed six of the Mormons (including Henry Bigler, Roswell Stephens, and Azariah Smith) were working at constructing Sutter's sawmill when the gold was discovered by James Wilson Marshall, January 24, 1848.[129]

Some Saints would retrace their steps part way to participate in establishing Mormon settlements, and still others would strike out overland for Salt Lake City. Some of the soldiers would apply the knowledge of irrigation and cultivation they had learned in California to the desert surrounding their new Zion. Though they had never engaged in combat, many members of the Battalion would later consider the march the solstice of their lives, and many used the equipment and training they received to resist Indian hostility in the Utah settlements.[130]

The Treaty of Guadalupe Hidalgo

The legacy of the war with Mexico was many-faceted. The United States gained tremendously in

territory; disputes and near-war would ensue over the proposed new boundary; sectionalism and slavery would become crucial issues; and the men trained in battle would later use that knowledge to destroy their former comrades.

The initial goals of the conflict had been to conquer and hold the isolated provinces of northern Mexico and to end the war quickly by taking Mexico City. This was achieved. General Zachary Taylor, "Old Rough and Ready," with the aid of Doniphan and others, defeated and held northern Mexico (these and other military exploits would lead directly to his Presidency in a few years). Leading the "Army of the West," Kearny (and Cooke) won New Mexico and California. And General Winfield Scott, capitalizing on a massive amphibious assault, captured Mexico City, forcing the Mexicans to sue for peace.

An accord was negotiated by discredited American agent Nicholas P. Trist, who acquired only the minimum demands of his government, and on February 2, 1848, a thoroughly defeated Mexico signed the Treaty of Guadalupe Hidalgo. To accomplish what Slidell had failed to achieve with an olive branch (albeit extended in a mailed fist) and $25 million, it had required $100 million and more than 12,000 American lives.[131] The Mexican provinces of New Mexico and California were ceded, and the Rio Grande was recognized as the boundary of Texas.[132] Under terms of the agreement, the United States was to pay Mexico $15 million and assume responsibility for her own citizens' claims of an additional $3.5 million.[133]

The exchange of treaty ratifications took place in Mexico City on May 30, 1848. The Mexican Government was concerned that there might be some disorders during the transfer of authority from the occupation forces to the Mexican army and requested that the United States forces remain until this could be safely accomplished. This was granted, and it was not until June 12 that the Stars and Stripes were lowered over the capital city. The signed copy of the Treaty of Guadalupe Hidalgo arrived in Washington, DC on July 4, 1848, and was immediately proclaimed by the president, thereby officially ending the War with Mexico.[134] It had required only 76 years from the Declaration of Independence from England to achieve Manifest Destiny.

Peace had been established, settling all differences between the two republics – or so everyone thought. Yet within five years, the two nations would again be at the brink of war because of disputes developing from nationalistic misinterpretations of the "Treaty of Peace, Friendship, Limits, and Settlement." The Treaty of Guadalupe Hidalgo had ended the war with Mexico and gave the United States most of the present Southwest. But, the boundary had to be surveyed. Not until several years had passed, a new treaty negotiated, and nearly a $1 million expended would the line finally be agreed on and marked.[135]

Unfortunately, the treaty terms had drawn part of the boundary line at the Gila River, much too far north to include the wagon road laid out by Cooke and the Mormon Battalion. Cooke had noted in his journal that his men had driven out the garrison at Tucson without firing a shot.[136] However, according to the agreement, that isolated installation was soon reoccupied by Mexican forces who remained until shortly before their American replacements arrived from Fort Thorn in the fall of 1856.[137] To those who desired a United States southern route to California, the uncontested surrender of a key portion of the newly established wagon road, and potential railroad route, was totally unacceptable.

Endnotes - Chapter 2

1. Lynn Irwin Perrigo, *The American Southwest, Its Peoples and Cultures* (New York: Holt, Rinehart and Winston, 1971), p. 156 (hereafter cited as Perrigo, *American Southwest*).

2. Archie P. McDonald and Carl L. Davis, "The War with Mexico," *The American West*, edited by William P. Rowley (St. Louis: The Forum Press, 1980), p. 4 (hereafter cited as McDonald and Davis, "The War").

3. Perrigo, *American Southwest*, p. 157.

4. McDonald and Davis, "The War," p. 4.

5. *Ibid.*, p. 5.

6. Perrigo, *American Southwest*, p. 158.

7. McDonald and Davis, "The War," p. 5; Russell Blaine Nye, *George Bancroft: Brahmin Rebel* (New York: Alfred A. Knopf, 1944), pp. 151-152. In developing these plans Polk had considerable assistance; notable among those helping was George Bancroft, Secretary of the Navy and noted historian. Bancroft, acting in William Learned Marcy's absence, was also filling in as Secretary of War.

8. Perrigo, *American Southwest*, p. 158.

9. Harry G. Shaffer, "The U. S. Conquers the West," *The American West*, edited by William D. Rowley (St. Louis: The Forum Press, 1980), p. 10 (hereafter cited as Shaffer, "U. S. Conquers").

10. Perrigo, *American Southwest*, p. 159.

11. Otis A. Singletary, *The Mexican War* (Chicago: The University of Chicago Press, 1960), p. 14.

12. Shaffer, "U. S. Conquers", p. 12.

13. William Turrentine Jackson, *Wagon Roads West: A Study of Federal Road Surveys and Construction in the Trans-Mississippi West, 1846-1869* (New Haven: Yale University Press, 1965), p. 17 (hereafter cited as Jackson, *Wagon Roads*). This is in seeming conflict with Bernice Cosulich, *Tucson* (Tucson: Arizona Silhouettes, 1953), p. 83 (hereafter cited as Cosulich, *Tucson*) in which it was stated that Polk and Marcy had indicated to the Mormon envoy Jesse C. Little that as many as 2,000 Mormons might be enlisted. Perhaps, as some politicians do, they were giving different information to various people, or they may have indeed changed their minds later.

14. Otis E. Young, *The West of Philip St. George Cooke, 1809-1895* (Glendale: The Arthur H. Clark Company, 1955), p. 186 (hereafter cited as Young, *Cooke*).

15. Averam Burton Bender, "Military Transportation in the Southwest, 1848- 1860," *New Mexico Historical Review*, Vol. 32 (Apr., 1957), p. 123.

16. Odie B. Faulk, *Destiny Road* (New York: Oxford University Press, 1973), p. 19; Sandra L. Myres (ed.), *Ho for California* (San Marino: Huntington Library, 1980), pp. 1-2.

17. Chris Emmett, *Fort Union and the Winning of the Southwest* (Norman: University of Oklahoma Press, 1965), pp. 26-29. Some of the other officers who served under Kearny included Alexander W. Doniphan, Sterling Price, Willard P. Hall, Edwin V. Sumner, and Philip St. George Cooke. It was only through Kearny's intervention that Cooke and Sumner were recalled from their assignments to proceed west.

18. Young, *Cooke*, pp. 185-186.

19. David B. Gracy, II and Helen J. H. Rugeley, "From the Mississippi to the Pacific: An Englishman in the Mormon Battalion," *Arizona and the West*, Vol. 7 (Summer, 1965), p. 127 (hereafter cited as Gracy and Rugeley, "An Englishman").

20. Young, *Cooke*, p. 186. According to Carl V. Larson, *A Data Base of the Mormon Battalion: An Identification of the Original Members of the Mormon Battalion* (Providence, Utah: Keith Watkins and Sons Printing, Inc., 1987), p. 1 (hereafter cited as Larson, *Data Base*), the Mormons were scattered in temporary camps from present-day Omaha, Nebraska, eastward half-way across Iowa.

21. Charles S. Peterson, John F. Yurtinus, David E. Atkinson, and A. Kent Powell, *Mormon Battalion Trail Guide* (Salt Lake: Utah State Historical Society, 1972), p. 4 (hereafter cited as Peterson, et al., *Trail Guide*). A brevet rank was an honorary promotion that entitled the officer to all the privileges of that position except pay.

22. Gracy and Rugeley, "An Englishman," p. 128. This is a moot point because by the time the Battalion was enlisted the United States had concluded its agreement with the British and the dangers associated with the Northwest had evaporated.

23. Cosulich, *Tucson*, p. 83.

24. Douglas De Veny Martin, *Yuma Crossing* (Albuquerque: University of New Mexico Press, 1954),

p. 109 (hereafter cited as Martin, *Yuma Crossing*).

25. Peterson, et al., *Trail Guide*, p. 4.

26. Ralph Paul Bieber (ed.), *Exploring Southwestern Trails, 1846-1854*, Vol. 7 (Glendale: The Arthur H. Clark Company, 1938), p. 131 (hereafter cited as Bieber, *Southwestern Trails*). Larson, *Data Base*, p. 14, indicated that although John Allen was not initially a member of the LDS Church, he was baptized into the church so that he could join the volunteers. He was drummed out of the Battalion April 18, 1847, before his term of enlistment expired, and was killed later that year during a quarrel.

27. Gracy and Rugeley, "An Englishman," p. 129. Their exact reason for leaving England, and what they proposed to do in America, was lost with the extremities of the damaged journal. Larson, *Data Bank*, p. 21, spells the second Englishman's name Beddome.

28. Gracy and Rugeley, "An Englishman," p. 133.

29. *Ibid.*, p. 134.

30. It was fortunate the diary survived because it was one of the few that was kept as a daily contemporary journal rather than being compiled at a later date. In addition, being unfamiliar with many of the surroundings, the articulate teenager described many things others might have taken for granted.

31. Paul Horgan, *Great River, the Rio Grande in North American History* (New York: Rinehart & Company, Inc., 1954), Vol. 2, pp. 721-728; Stella Madeline Drumm (ed.), *Down the Santa Fe Trail and Into Mexico: The Diary of Susan Shelby Magoffin, 1846-1847* (Santa Fe: William Gannon, 1975), p. xxix. Daniel Tyler, "Governor Armijo's Moment of Truth," *Journal of the West*, Vol. 11 (Apr., 1972), pp. 312-313, asserted that Magoffin paid Armijo 500 ounces of gold.

32. Ralph Emerson Twitchell, *The History of the Military Occupation of the Territory of New Mexico from 1846 to 1851 by the Government of the United States* (Chicago: The Rio Grande Press, Inc., 1963), p. 385. Weightman had volunteered to carry the news to Kearny so he could be in on the anticipated fight. The Province of New Mexico included what today is New Mexico, Arizona, and parts of Colorado, Utah, and Nevada.

33. Karl Jack Bauer, *The Mexican War 1846-1848* (New York: Macmillan Publishing Co. Inc., 1974), p. 133 (hereafter cited as Bauer, *Mexican War*).

34. Peterson, et al., *Trail Guide*, pp. 4-5.

35. Gracy and Rugeley, "An Englishman," p. 136. Obviously there had been no rigorous drilling of the volunteers during the period of August 4 to 13.

36. *Ibid.*, p. 138.

37. Peterson, et al., *Trail Guide*, p. 10.

38. Gracy and Rugeley, "An Englishman," pp. 138-142.

39. Young, *Cooke*, p. 187; Kate B. Carter (comp.), "The Diary of Reddick N. Allred," *Treasures of Pioneer History* (Salt Lake City: Daughters of Utah Pioneers, 1956), pp. 304-305.

40. Larson, *Data Base*, p. 3.

41. Bauer, *Mexican War*, p. 137.

42. Jackson, *Wagon Roads*, p. 18.

43. Young, *Cooke*, p. 183. Cooke would be promoted to the rank of Major, Second Dragoons, in the regular army on February 16, 1847.

44. George Ruhlen, "Kearny's Route from the Rio Grande to the Gila River," *New Mexico Historical Review*, Vol. 32 (July, 1957), pp. 215-217. Carson had left Los Angeles on September 5 with 15 men. Kearny persuaded Carson to guide him to California and let Thomas Fitzpatrick carry the messages east.

45. Forbes Parkhill, *The Blazed Trail of Antoine Leroux* (Los Angeles: Westernlore Press, 1965), p. 87 (hereafter cited as Parkhill, *Antoine Leroux*).

46. John K. Herr, and Edward S. Wallace, *The Story of the U. S. Cavalry* (Boston: Little, Brown and Company, 1953), p. 116. The First Dragoons originated in 1833, the Second Dragoons in 1836, and the Mounted Riflemen in 1846. The first cavalry regiments (First and Second Cavalry) were not organized until 1855.

47. Young, *Cooke*, pp. 21, 37, 64.

48. *Ibid.*, pp. 99, 123, 195. Snively, a western character of dubious ethics and questionable reputation, will play a significant role in the development of gold mining at Pinos Altos, near the Santa Rita copper mine, which became a hotbed of Confederate sympathy.

49. Paul Horgan, *Great River* Vol. 2, p. 500. Peterson, et al., *Trail Guide*, p. 23. Cooke's geographical knowledge of the region came primarily from two commercial maps, Tanner's American Atlas and Mitchell's map of Texas, Oregon, and California. These had only sketchy information at best and were next to useless for his purpose.

50. Bauer, *Mexican War*, p. 138; Daniel Tyler, *A Concise History of the Mormon Battalion in the Mexican War, 1846-1847* (Chicago: The Rio Grande Press, 1964), pp. 140, 164 (hereafter cited as Tyler,

Mormon Battalion). Most of Price's cavalry, however, did not arrive until after the Mormons as a result of a severe storm that scattered their mounts, and it took several days to recover them.

51. Erwin G. Gudde, *Bigler's Chronicle of the West: The Conquest of California, Discovery of Gold, and Mormon Settlement as Reflected in Henry William Bigler's Diaries* (Berkeley: University of California Press, 1962), p. 26 (hereafter cited as Gudde, *Henry W. Bigler*).

52. Azariah Smith, Journal of Azarian Smith, 1846, Mormon Battalion Papers, Utah State Historical Society (hereafter cited as Smith, Journal), p. 5.

53. Bauer, *Mexican War*, p. 138.

54. Gracy and Rugeley, "An Englishman," p. 143.

55. Martin, *Yuma Crossing*, p. 110. In contrast to Price, Doniphan had defended the Mormons during the Missouri persecution.

56. Bieber, *Southwestern Trails*, p. 85; Henry W. Bigler, Diary of Henry Bigler,(no date), Special Collections, University of Arizona Library, Tucson, p. 11 (hereafter cited as Bigler, Diary); Tyler, *Mormon Battalion*, pp. 158, 168. None of the journals consulted offered a reasonable solution to the large discrepancy between the number of Saints recruited and the number that arrived at Santa Fe even though Tyler noted that a group, mostly families, separated on September 16 and headed to winter quarters in Pueblo in care of Captain Nelson Higgins (Company D) and several other men. Until 1878, it was standard army practice to allocate four laundresses per company and to provide them pay and rations.

57. Young, *Cooke*, p. 190.

58. Bigler, Diary, p. 11. These men were also referred to as pilots or spies.

59. Jackson, *Wagon Roads, p. 20. George Stoneman would serve as governor of California from 1883 to 1887. Dr. Foster, a Santa Fe-based trader, volunteered his services to Cooke and would also serve as one of the guides. Hall resigned the Army upon learning that he had been elected a Representative to Congress from Missouri. However, he intended to accompany Cooke to California and return in time to fulfill his position.*

60. Young, *Cooke*, p. 192.

61. Cooke in *House Reports*, 31st Congress, 1st session, Executive Document 41, p. 552, indicated a third sergeant's wife and wagon. There is a significant controversy regarding this issue, however. In an interview published in the May 26, 1901, *Salt Lake Herald* Melissa Burton Coray (now Kimball), wife of Sergeant William Coray (Company B), named herself; Mrs. Jesse D. Hunter (Lydia Edmonds Hunter), wife of Captain Hunter (Company B); Mrs. Daniel C. Davis (Susanna Moses Davis, wife of Captain Davis (Company E); Mrs. Ebenezer Brown (Phoebe Draper Palmer Brown), wife of Sergeant Brown (Company A); and Mrs. Eleazer Davis (wife of Private Eleazor Davis) as the five women who accompanied the Battalion west. In Bertha Richards, Letter to the Author, October 21, 1989, the President of the National Mormon Battalion Auxiliary indicated that this interview was the only known source identifying a fifth woman, Mrs. Eleazor Davis, and that the other (undefined) information indicated that one woman returned to Santa Fe with the men detached November 10, 1846, before Cooke turned the Battalion west from the Rio Grande. The monument at San Diego, from Stanley B. Kimball, *Historic Sites and Markers along the Mormon and other Great Western Trails* (Champaign: University of Illinois Press, 1989), pp. 231-232, records only the first four women named.

62. William Hemsley Emory, *Lieutenant Emory Reports* (Albuquerque: University of New Mexico Press, 1951), p. 100 (hereafter cited as Emory, *Reports*); Henry Smith Turner, *The Original Journals of Henry Smith Turner with Stephen Watts Kearny to New Mexico and California, 1846-1847*, edited by Dwight Lancelot Clarke (Norman: University of Oklahoma Press, 1966), p. 85; James Van Nostrand Williams, Reminiscences and Diary of James Van Nostrand Williams, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, p. 33 (hereafter cited as Williams, Diary). Kearny's column had reached the Santa Rita copper mines on October 17, and met with Mangas Coloradas, who promised to send guides to point out a good wagon route for the Mormons to follow. Whether he did or not could not be confirmed in any of the journals, even Cooke's. From Juanita Brooks (ed.), "Diary [of John D. Lee] of the Mormon Battalion Mission," *New Mexico Historical Review*, Vol. 42 (July, 1967), pp. 191-195, 288-292, the fact that Lee left the Battalion at this point may have been fortunate for Cooke because Lee's journal was very critical of almost everyone and everything up to this point. Lee later was executed for the part he allegedly played in the September 7, 1857, Mountain Meadows Massacre of a wagon train of civilian emigrants in southern Utah.

63. Williams, Diary, p. 33.

64. Jackson, *Wagon Roads*, p. 21.

65. Martin, *Yuma Crossing*, p. 113; Williams, Diary, p. 38.

66. Parkhill, *Antoine Leroux*, p. 85.

67. Ferol Egan, *The El Dorado Trail* (New York: McGraw-Hill Book Company, 1970), p. 139.

68. Emory, *Reports*, p. 100; Parkhill, *Antoine Leroux*, p. 85. Unlike many of the mountain men, Leroux was literate, wealthy, and later served on the New Mexico Territorial Organization Convention. Larson, *Data Base*, p. 173, adds a Phillip Thompson as another citizen guide.

69. William Byram Pace, Journal of William Byram Pace, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, p. 49; Tyler, *Mormon Battalion*, p. 125.

70. Young, *Cooke*, p. 194.

71. Martin, *Yuma Crossing*, p. 113; Samuel Hollister Rogers, Journal of Samuel Hollister Rogers, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, p. 99 (hereafter cited as Rogers, Journal). Smith, Journal, passim, repeatedly reported the taking of a variety of wild game.

72. Gracy and Rugeley, "An Englishman," p. 146.

73. Parkhill, *Antoine Leroux*, p. 88.

74. Robert S. Bliss, "The Journal of Robert S. Bliss, With the Mormon Battalion," *Utah Historical Quarterly*, Vol. 4 (July and Oct., 1931), p. 77; Henry G. Boyle, Journal of Henry G. Boyle, 1846, Brigham Young University Library, Provo, p. 19 (hereafter cited as Boyle, Journal). William Coray, Journal of William Coray, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, n.p. (hereafter cited as Coray, Journal); Elijah Elmer, Diary of Elijah Elmer, 1846, Mormon Battalion Papers, San Diego Historical Society, p. 14; William Hyde, Journal of William Hyde, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, p. 96; Albert Smith, Reminiscences and Journals of Albert Smith, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, p. 34; Tyler, *Mormon Battalion*, pp. 190-191; *Senate Reports*, 31st Congress, Special Session Executive Document 2 (1849), p. 14 (hereafter cited as *Senate Reports*, Executive Document 2).

Cooke specifically records 55 men, and Coray was one of two to agree with this number. Most of the Mormons who kept a journal or later wrote of their experiences claimed only 50. Tyler states 55 and quotes Lieutenant Willis, the leader of the rejected group, as indicating 56 men, but only identifies 50, leaving unlisted Willis and the 3 Saints who died before returning to Santa Fe. Two Saints, Albert Smith (one of at least nine Smiths in the Battalion) and Henry Boyle, clearly set the initial figure at 60. One of the sources of difference may be speculated from Bliss's journal when he names three men from his Company B mess (Elijah N. Freeman, Thomas Bingham, and Francis T. Whitney) who were sent back, but only one shows up on Tyler's list of 50. Likewise, Hyde noted in his journal that 10 men were sent back from Company B but Tyler, probably using Williams' list, names only seven. Similarly, Sergeant Elmer states that 13 men of his Company C were among those rejected but Tyler records only 12. Obviously there is some confusion here; however, the official number entered by Cooke will be used.

75. Rogers, Journal, p. 99; Tyler, *Mormon Battalion*, pp. 118, 143. Tyler lists Willis' name alternately as William W. and Wesley W., and the former was arbitrarily selected as correct.

76. Smith, Journal, p. 7. Woolsey was the only one of the escort to rejoin the Battalion, albeit temporarily.

77. Frank Alfred Golder, Thomas A. Bailey, and J. Lyman Smith (eds.), *The March of the Mormon Battalion from Council Bluffs to California, Taken from the Journal of Henry Standage* (New York: The Century Co., 1928), p. 183 (hereafter cited as Golder, Bailey, and Smith, *Henry Standage*); *Senate Reports*, Executive Document 2, p. 14.

78. *Ibid.*

79. Tyler, *Mormon Battalion*, p. 192. How this critical error in the issue of rations could have occurred and not been protested is beyond reasonable conjecture.

80. Larson, *Data Base*, pp. 44, 74, and 78.

81. Bieber, *Southwestern Trails*, p. 94-96. The reduction from the original complement of 25 "official" wagons was unexplained but probably was a result of consumption of stores to be transported and trading for lighter-weight vehicles.

82. Coray, Journal, n.p.; Tyler, *Mormon Battalion*, pp. 132, 281. Lydia Hunter died in San Diego April 27, 1847, about two weeks after bearing a son, Diego Hunter.

83. *Senate Reports*, Executive Document 2, p. 15. The three additional men, added to the previous 55 for a total of 58, keeps Cooke's statistics at least consistent.

84. Harlan Hague, *The Road to California: The Search for a Southern Overland Route, 1540-1848* (Glendale: The Arthur H. Clark Company, 1978), pp. 254-256; Jackson, *Wagon Roads*, p. 20; Peterson, et al., *Trail Guide*, pp. 31- 34. Again there is a significant discrepancy in the number of men that apparently departed Santa Fe and the final contingent that turned west from the Rio Grande. Also there is substantial evidence that the point of departure and exact route from the Rio Grande to Cooke's Spring, depicted by Peterson, et al., is in error.

85. Gracy and Rugeley, "An Englishman," p. 146. This route should not be confused with the "Old Spanish Trail" that connected Santa Fe to California by an entirely different route. What was referred to here was evidently the tracks created in 1780 by De Anza in his attempt to find a better road from Santa Fe to Sonora and probably followed in 1832 by David Jackson.

86. Golder, Bailey, and Smith, *Henry Standage*, p. 183; David Pettigrew, Autobiography of David Pettigrew, (no date), Mormon Battalion Papers, LDS Library, Salt Lake City, p. 83; *Senate Reports*, Executive Document 2, p. 16. This water reservoir, located by Cooke's interpreter, Dr. Stephen G. Foster, and estimated by Cooke to contain 55,000 gallons of water, has since been reported "lost." A field trip to Jug Canyon confirmed that location as the one visited by Abraham Bell in October 1867 and also quite probably Foster's Hole.

87. Thomas Dunn, Journal of Thomas Dunn, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, pp. 11-12.

88. Philip St. George Cooke, *The Conquest of New Mexico and California* (Oakland: Biobooks, 1952), p. 66; Coray, Journal, n.p.

89. Rogers, Journal, p. 100.

90. Williams, Diary, p. 37.

91. Bieber, *Southwestern Trails*, p. 101. Boyle, Journal, p. 20, thought the ox meat was so bad, the wolves would have rejected it.

92. Gracy and Rugeley, "An Englishman," p. 184.

93. Williams, Diary, p. 36.

94. *Ibid.*

95. Rogers, Journal, p. 100. The vineyard found by the hunters must have been established by an early Spanish settler.

96. Works Projects Administration, *Inventory of the County Archives of New Mexico - No. 15 Luna County (Deming)* (Albuquerque: The New Mexico Historical Records Survey, 1942), p. 9; Golder, Bailey, and Smith, *Henry Standage*, p. 184.

97. Bieber, *Southwestern Trails*, p. 101.

98. Tyler, *Mormon Battalion*, p. 204.

99. Bieber, *Southwestern Trails*, p. 102.

100. *Ibid.*, p. 103.

101. Golder, Bailey, and Smith, *Henry Standage*, p. 184.

102. Tyler, *Mormon Battalion*, p. 204; George Washington Taggart, "A Short Sketch of His Travels with the Church of Jesus Christ of Latter-Day Saints," Mormon Battalion Papers, LDS Library, Salt Lake City, p. 11. Nathaniel Vary Jones, Diary of Nathaniel Vary Jones, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, p. 3, also made a similar observation regarding mining. In recent years the Bureau of Land Management has had difficulty with at least one person who wanted to mine near the site after "interpreting" a map leading to the treasure from petroglyphs near Massacre Peak. Unfortunately, the quarrying of Sarten sandstone has reduced the number of mortars in this particular rock to scarcely more than a dozen.

103. Tyler, *Mormon Battalion*, pp. 204-205. It is possible that because Tyler's record was produced at a later date, he may have added this information from Cooke's own published journal.

104. Coray, Journal, n.p.

105. Tyler, *Mormon Battalion*, p. 205; *Senate Reports*, Executive Document 2, p. 18.

106. Golder, Bailey, and Smith, *Henry Standage*, p. 184. Standage's food preferences were obviously more refined than Williams's.

107. Gracy and Rugeley, "An Englishman," p. 147.

108. Bieber, *Southwestern Trails*, p. 103-104.

109. Abraham Day III, Journal of Abraham Day, 1846, Harold B. Lee Library, Brigham Young University, Provo, p. 16, attributed the route change to a prayer circle held by David Pettigrew and others.

110. Gracy and Rugeley, "An Englishman," p. 148.

111. *Ibid.*, p. 147.

112. Rogers, Journal, p. 101.

113. Bieber, *Southwestern Trails*, pp. 113-115.

114. Cosulich, *Tucson*, p. 84.

115. Parkhill, *Antoine Leroux*, p. 93.

116. Tyler, *Mormon Battalion*, pp. 71, 291. Tyler placed Allen in Company E, Larson indicated Company A. It is probable that Tyler is correct in that the two non-Mormon Englishmen enlisted late in

Company E.

117. Gudde, *Henry W. Bigler*, p. 30.

118. Emory, *Reports*, p. 173. In "A Group of Kearny Letters," *New Mexico Historical Review*, Vol. 5 (Jan., 1930), p. 31, Kearny indicated that he had received two wounds.

119. Singletary, *Mexican War*, pp. 59-61.

120. Jackson, *Wagon Roads*, p. 22.

121. Bauer, *Mexican War*, p. 139

122. Jeremiah Willey, Reminiscences of Jeremiah Willey, 1846, Mormon Battalion Papers, LDS Library, Salt Lake City, p. 27.

123. Young, *Cooke*, p. 223. Cooke and the Mormons had gotten off to a rough start, but in completing their mutual task, each had developed a grudging respect for the other. Cooke would deliver a laudatory speech many years later in Salt Lake City commemorating the march, and the Mormons, upon learning of Cooke's death, March 21, 1895, unsuccessfully requested to have his remains interred in Utah.

124. See Appendix A for the various names the road has been called over time.

125. Cosulich, *Tucson*, p. 90.

126. Bieber, *Southwestern Trails*, p. 29.

127. Tyler, *Mormon Battalion*, p. 326.

128. Gracy and Rugeley, "An Englishman," p. 160.

129. William Weber Johnson, *The Forty-Niners* (New York: Time-Life Books, 1974), p. 23; Smith, Journal, p. 27.

130. Gracy and Rugeley, "An Englishman," p. 128.

131. Paul Neff Garber, *The Gadsden Treaty* (Gloucester, Massachusetts: Peter Smith, 1959), p. 3; Shaffer, "U. S. Conquers", p. 11. It is frequently overlooked that many men who achieved high rank in the Civil War had their first taste of battle in Mexico.

132. McDonald and Davis, "The War," p. 11.

133. Shaffer, "U. S. Conquers", p. 11.

134. Odie B. Faulk, *Too Far North ... Too Far South* (Los Angeles: Westernlore Press, 1967), p. 3.

135. *Ibid.*, p. viii.

136. Martin, *Yuma Crossing*, p. 123.

137. Benjamin H. Sacks, "The Origins of Fort Buchanan, Myth and Fact," *Arizona and the West*, Vol. 7 (Autumn, 1965), pp. 208-209. Interestingly enough, throughout all the turmoil the Mexican garrison at Tucson aided and protected the miners, emigrants, herders, freighters, and others from whatever origin during their passage to or from California.

Chapter 3

Securing the Wagon Road, 1849-1856

During the next seven years, the Cooke's Peak area was radically affected by a series of developments. The postwar settlement between the United States and Mexico provided a mechanism for locating and marking the exact location of the new boundary between their spheres of influence and responsibility. The initial attempt at this process was marred by the United States President's political appointment of persons inadequate to the task. Agreed upon interpretation of treaty provisions would have left an important portion of the newly established wagon road to the Pacific Ocean in the hands of Mexico. Under threat of renewed confrontation, careers were scrapped, millions spent and more committed, and a new agreement hammered out.

Long before the new boundary had been established, the lure of gold, cattle empires, and political fortunes drew many people west to California and to intermediate points along the way. Emigrants (and immigrants) flowed west by way of Cooke's Spring to swell the coastal population and to create an increased demand for services, food, and other materiel. Journals written by people of various ages and perspectives logged the slow monotonous trek westward. These people emphasized different interpretations of the journey, but one theme wove a common thread: the arid land and the never ending concern over the availability of sufficient water for man and beast. Frequently, emigrants would travel all night to escape the heat or Indians and hopefully reach the next water hole in time.

The potential to expand the eastern railway network to the coast, for more efficient transportation for all these people and the things they desired, created the need to survey various potential routes and to determine which would be the most cost-effective. Of course, many politicians thought the most cost-effective route was that which favored their geographical power base or personal investments. Therefore, despite the conclusion of many that the southernmost route through the Cooke's Spring area was the best, many years would pass before the goal of a transcontinental railroad was realized.

Unfortunately, the Indians who had been abused by previous regimes were again brushed aside as unimportant. Or at least that was what many Americans wanted to do. However, the threat to limited and fragile resources created by massive emigrant wagon trains was more than the Apaches could tolerate and the lure of mules, cattle, and calico from trail herds and freighters was more than they could resist. Naturally, the military presence in the Southwest was bolstered to protect the "innocent" and persecute the "guilty."

The Joint Boundary Commission

The Treaty of Guadalupe Hidalgo included the provision that a new boundary be established between the two nations by a Joint Boundary Commission and that the records of their acts would become a part of that treaty. Article Five of the Treaty further provided that the Joint Boundary Commission should meet in San Diego, California, by May 30, 1849. To support this required activity, the United States Congress appropriated $50,000. By the time the marking of the final boundary between the United States and Mexico was accomplished, the cost would exceed the original budget by at least 15 times.[1]

Unfortunately, when President James Knox Polk offered the position of Boundary Commissioner to William Hemsley Emory, a Captain in the Corps of Topographical Engineers, he attached a requirement that Emory resign his military commission. When Emory refused to do this, Polk attached him to the Commission as Chief Astronomer and commander of the military escort. Had Emory served in the higher capacity, it is likely that the difficulties

resulting from the establishment of the Initial Point far upstream from El Paso del Norte, and misattention to commission business, would have been avoided.

Having failed to entice Emory, the then lame-duck President next offered the post of Boundary Commissioner to a fellow party member, defeated ex-Senator Ambrose H. Sevier. However, before the Senate could act on his confirmation, Sevier died on December 31, 1848. Polk again turned to a defeated colleague, John B. Weller of Ohio, who accepted the position and was subsequently confirmed by the Senate. Much less trouble was encountered in securing someone to fulfill the office of United States Surveyor, which went to a highly qualified civil engineer, Andrew Belcher Gray.[2]

Commissioner Weller's party of 39 left for San Diego in February 1849 to meet with their counterparts from Mexico. They used the three-stage steamer route that incorporated an intervening land trek across Panama. Unfortunately, they encountered the initial surge of the gold rush and, despite all efforts, it took them until June 1 to reach their destination. Even with the delays, however, they reached San Diego more than a month ahead of their Mexican counterparts. When the Mexican Boundary Commission finally arrived, it was headed by General Pedro Garcia Conde, a combat veteran of the recent war, who was also an able politician and a professional engineer.[3]

Partisan jealousy continued to haunt the American commission. The incoming politicians were upset with Polk's lame-duck appointments and felt that he should have waited for the new administration to make the selections. Secretary of State John M. Clayton failed in his attempt to cut off the funds for the Commission, but succeeded in forcing the appointment of John Charles Fremont to replace Boundary Commissioner Weller. Fremont readily accepted the position but, after discussing the associated problems with Weller, who was still blissfully unaware of the Washington political circumstances, decided that he wanted nothing to do with the Commission and resigned before officially taking over.

Despite Fremont's actions, Weller was removed in December 1849 to be replaced temporarily by Emory, who also managed to be relieved later. Due to disruptions, including military desertions caused by the gold fever, the Commission held its last meeting on February 15, 1850, and agreed to meet in El Paso del Norte on the first Monday of November 1850.[4] In the meantime, on June 15, John Russell Bartlett was appointed the new Boundary Commissioner.[5]

Bartlett not only lacked suitable experience for the job but also filled the Commission staff with political cronies and went so far as to place his brother, George, in charge of the expedition's commissary. Bartlett also outfitted a special carriage that he used to travel all over the Southwest and Mexico. It was "well supplied with Colt's and Sharp's rifles, Colt's pistols, a double-barreled shot gun, lots of ammunition, a spyglass, and a number of small but useful tools."[6]

While Commissioner Bartlett was gathering the necessary men, supplies, and equipment, diverse political issues concerning the method of settling the territory recently acquired from Mexico, most notably whether its citizens would be allowed to have slaves, joined other controversies to produce the Great Compromise of 1850.[7] Bartlett's actions in the Southwest would also spark accusations of northern political bias that would end in his disgrace for failing to establish a boundary that would retain Cooke's Wagon Road and for expending so much money in the fruitless attempts.

Bartlett proceeded ahead of most of his party to reach El Paso del Norte almost on time for the appointed November 1850 meeting. However, he need not have hurried because, once again, the Mexican Commission was late and did not reach there until the first of December.[8] While he waited for his own men and the Mexicans, Bartlett was entertained lavishly by the local residents on both sides of the border.[9] Later, using the James Wiley Magoffin house, in which he had received quarters, Bartlett threw an ostentatious party for many American and Mexican officials, including army officers. There was considerable female company, and special chandeliers were fashioned of barrel hoops and sardine tins so that each fixture held a dozen candles.[10] At least partially because there was a danger in crossing the river after dark, the party lasted all night, and the guests departed at 8 o'clock the next morning.[11]

Bartlett described El Paso del Norte (present-day Ciudad Juarez), on the Mexican side of the river, as having about 5,000 people. On the American side there were but a few houses divided into three set-

tlements. The first Anglo settlement, Benjamin Franklin Coons' Rancho (originally named Ponce's Rancho by 1827 land grant settler Juan Maria Ponce de Leon), situated at present-day downtown El Paso, had been the military post for about two years under Major Jefferson van Horne and was largely unoccupied. The second settlement, Magoffinville, founded by Kentuckian James Wiley Magoffin, was located about one and one-half miles down the river. It was the principal American village at the time, located near the present-day intersection of Magoffin and Willow streets, and complete with a large plaza and buildings serving as stores and warehouses. A mile or two to the east, near present-day Concordia Cemetery, was the third settlement, a large rancho belonging to another Kentuckian, Hugh Stephenson (Figure 19), who had settled in west Texas possibly as early as the 1820s and who owned a silver mine in the Organ mountains east of present-day Las Cruces.[12] Another somewhat detached settlement farther upriver belonged to Simeon Hart, an early settler from New York, who had a grist mill and rancho at one end of a dam located about a mile from where the river cuts through the mountain range forming the "Pass of the North." Hart named his holdings El Molino (The Mill).[13]

Beginning in about 1851 the name of the settlement that evolved into present-day El Paso, Texas, varied between Franklin (after Coons), and Smithville (after William T. Smith, a successor of Coons), and late in 1857 or early in 1858, it also began to be called El Paso. For consistency of documentation, the change was fixed arbitrarily at January 1858. In actual practice, this transition was not so clearly defined. For example, General James Henry Carleton used Franklin in official correspondence as late as 1865. The confusion would not be eliminated until the Mexicans renamed their city for Benito Juarez in 1888.

Starting on December 3, 1850, the Joint Boundary Commission met twice a week except when the river ice prevented safe crossing.[14] It immediately became evident that the Boundary Commission would have a major problem in establishing the eastern Initial Point for the boundary survey. Unfortunately, the American civil engineer most qualified to deal with the issue, A. B. Gray, was gravely ill and would not arrive for several months. In Gray's absence, Bartlett failed to establish a logical basis for locating the survey's eastern Initial Point.

The Disturnell map that had been used in defining articles in the Treaty of Guadalupe Hidalgo was the result of a series of copies, legal and otherwise. It introduced and compounded errors in the recorded "location" of El Paso del Norte, placing it at 32° 15' north latitude rather than 31° 45' and at 104° 39' west longitude rather than 106° 29'. These errors mislocated the city 34 miles too far north and almost 100 miles too far east, placing it near present-day Carlsbad.[15]

The Mexican Commissioner, Conde, immediately grasped the significance of this and moved quickly to convince Bartlett that, regardless of the errors and regardless of where the true location of El Paso del Norte was, the position as calculated from the map should be used. The men who had drawn up the treaty had been aware of the map's inaccuracies and

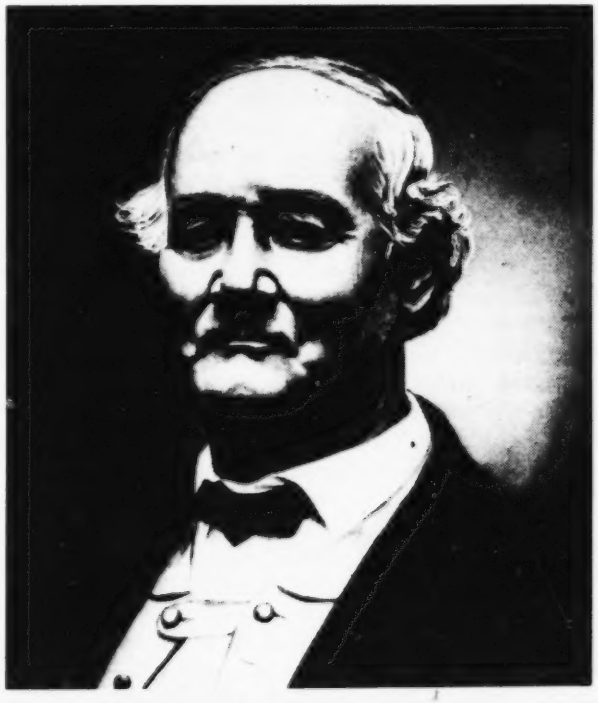


Figure 19. Hugh Stephenson. Photo courtesy of the Museum of New Mexico, #11013.

specifically had used physical locations, such as the city and the Rio Grande rather than invisible lines on a piece of parchment, to preclude this contention. If the Disturnell map were to be used to locate El Paso del Norte, the advantages to Mexico and the disadvantages to the United States would be great, including possession of a major portion of Cooke's road and 6,000 square miles of territory (Figure 20).

In their meeting on Christmas Day, 1850, the Commissioners worked out a "compromise." To satisfy Conde, the Initial Point for departure from the Rio Grande was fixed 42 miles north of El Paso, rather than 8, and to satisfy Bartlett, the line was then to run 3° west from that point before turning northward to the Gila River. With Gray still absent, Bartlett appointed Second Lieutenant Amiel Weeks Whipple Surveyor ad Interim and persuaded Whipple to sign the necessary documents.[16] Had Bartlett initiated the surveys of the Rio Grande and Gila rivers, it might have prevented the impending dispute, rendered the subsequent Gadsden Purchase unnecessary, and possibly saved Bartlett's reputation as Commissioner.[17]

It is always easy to conclude what should have been done after the fact. If the commission had waited for Gray's expert opinion or pursued the river surveys, it would have been evident that a line running west 3° from 104° 39' west (the location of El Paso del Norte per the Disturnell map) and thence north, could not intersect the Gila River![18] Had this fact come to light, it would have proved (as should the location of Cooke's Wagon Road) that the treaty negotiators indeed meant to use physical references and not lines placed on the inaccurate map.

On January 13, 1851, with the major question of how to establish the Initial Point on the Rio Grande apparently settled, Bartlett rode by way of Las Cruces to Dona Ana to meet Lieutenant Colonel Louis S. Craig whose Third Infantry would provide the Commission's military escort.[19] Colonel Craig was preparing to go to the Santa Rita copper mines to assess the location as a main base camp for the Boundary Commission.[20] Bartlett suggested to Dr. Thomas H. Webb (secretary), George Thurber (botanist), and John Carey Cremony (interpreter), that they go along with the troops for protection and assess the area for water, wood, grass, and buildings. Bartlett loaned them his sumptuous carriage for the trip. Twenty large wagons, belonging to Hart, loaded with corn and provisions for the escort, also went along. Bartlett noted that the men assigned to the wagons would open a road wherever necessary.[21]

On the fourth day of the trip, Cremony, who was riding his horse, had outdistanced the carriage and military escort. He entered Cooke's Canyon in pursuit of antelope and suddenly found himself surrounded by approximately two dozen Apaches led by Cuchillo Negro. Aware that the carriage was not far behind, he drew one of his four revolvers and told the Indians to come no closer or he would shoot the chief. The Apaches doubted him but thought they had nothing to lose by waiting, and within 15 minutes the vehicle rumbled into sight, accompanied by some troops. Cuchillo Negro expressed his friendship to Cremony, turned, and rode away.[22]

After examining the area at the copper mines for about three weeks, Dr. Webb returned through Cooke's Canyon (presumably with an escort) to inform Bartlett of his findings. He made such a favorable report, including the fact that there were abandoned adobe houses that could be easily occupied, that Bartlett decided to move the Commission headquarters. The military also found good quarters in the old triangular Spanish fortress and were actively engaged in repairing it for occupancy. Bartlett described the Presidio or fort at the copper mine as of triangular form, about 200 feet on each side, with circular towers on the corners and built of adobe with walls 3 to 4 feet thick. He named the combined civilian and military complex Cantonment Dawson. s Conditions were not to everyone's liking, however, because during this time seven of Colonel Craig's soldiers deserted.

At this point Bartlett was in a hurry to establish the Initial Point on the Rio Grande because he had tarried at El Paso del Norte for five months and wanted to visit the Pacific shore before returning to El Paso.[23] On April 24, 1851, the Joint Boundary Commission assembled at the Initial Point. With Lieutenant Whipple's appointment to act in Gray's place, the group held some ceremonies and buried a bottle containing a list of the Commission members, a copy of the signed agreement, and a fragment of the Washington monument. They also erected a marker on the site.[24] The citizens of Mesilla, many of whom had moved there to avoid becoming part of the United States, held a celebration upon learning of the agreed-to location, which would leave them in Mexico.

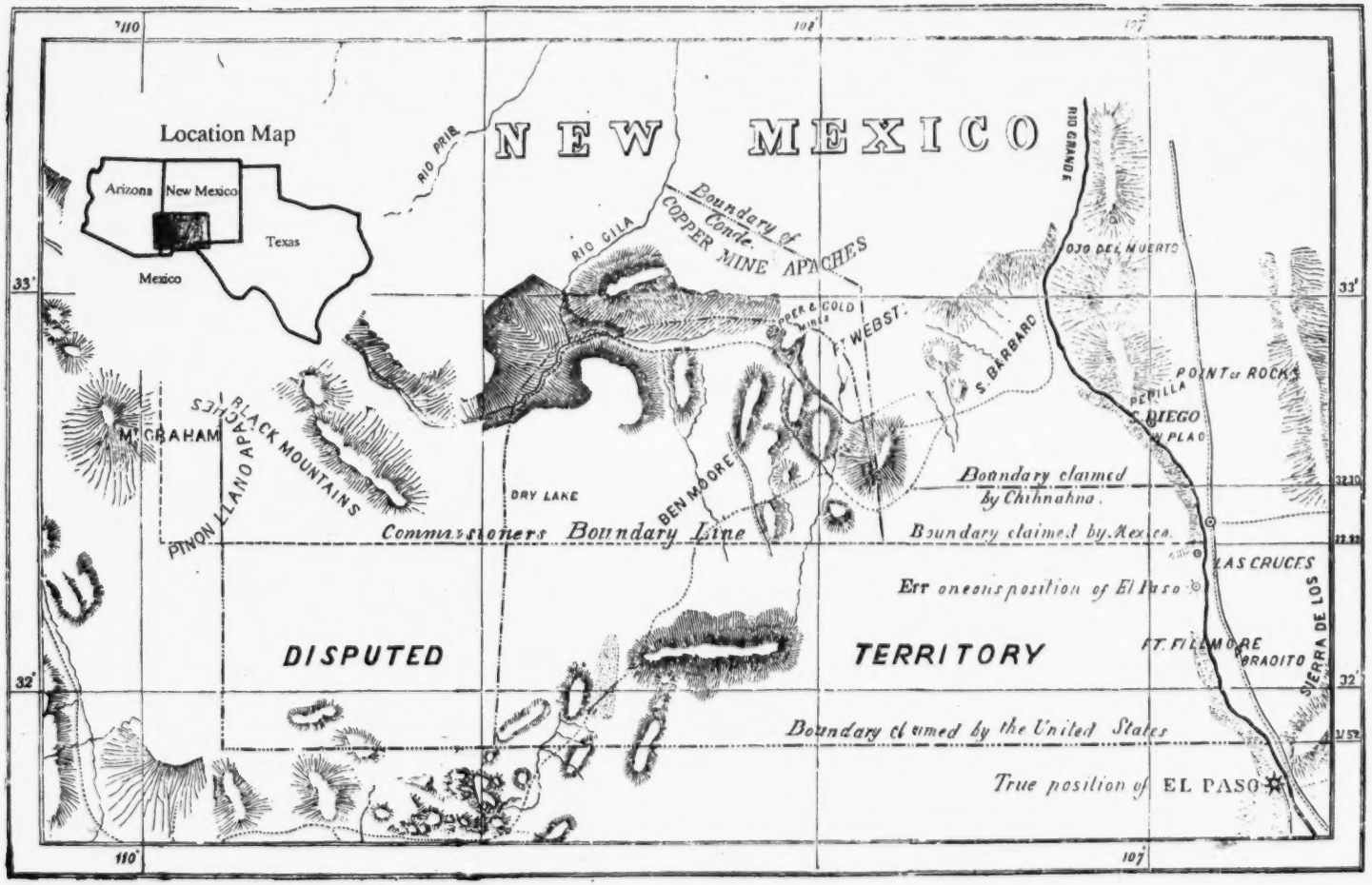


Figure 20. Bartlett-Conde and Gray's boundaries. From the New York Illustrated News, June 14, 1853, in the author's collection.

On April 27, 1851, Bartlett pulled out of Dona Ana for the copper mines in his four-mule carriage. He led a train of 12 wagons, each drawn by five or six mules, and the other members of his party, mounted on horses or mules. In crossing the Rio Grande at San Diego, one of the wagons mired in the quicksand, and all six mules drowned before they could be freed. On April 30, Bartlett's train stopped at Cooke's Spring an hour before noon to water the stock and refresh themselves. He described the spring as forming "a pool, some 50 feet across, surrounded by rushes. The water is a little brackish, but the grass in the vicinity is excellent."[25]

Bartlett climbed a nearby hill to the south and made note of the amount of chalcedony strewn there, some of which he collected.[26] After an hour's wait for the mules to crop some grass, the party hitched up and moved on through Cooke's Canyon. Bartlett recorded that: "This pass is quite hilly and stony, with some deep ravines to cross, but otherwise attended with no difficulties for wagons."[27] That night they camped on the Mimbres; Bartlett was disappointed in its size but not in its taste.

On May 2, 1851, Bartlett suffered a nearly disastrous accident. After establishing his base camp at the copper mine, he had gone to see some peculiar rock formations.[28] While mounting his mule to return to camp, he was either thrown or dragged off, and his mule kicked him in the left shoulder. It was later determined by doctors Thomas H. Webb and John M. Bigelow of the commission and White of the army that his arm was indeed broken near the shoulder. Had Bartlett been kicked in the head, the incident could have ended his life. It was fortunate that he shared quarters with such a compassionate man as Colonel Craig. The Colonel got up frequently during the night to turn Bartlett in his bed so that he might rest better.[29]

Despite his broken arm, Bartlett took an extended trip into Mexico shortly after General Conde arrived at the copper mine headquarters on May 5. On June 27, after returning to the mine, Bartlett was instrumental in recovering a young Mexican girl held by New Mexicans who had traded for her with Indians. Others evidently heard of his action, and the following day the Commissioner again exercised the powers granted him under Article 11 of the Treaty of Guadalupe Hidalgo when he confiscated two boys held in captivity by the visiting Apaches.

One, a 13-year-old named Saverro Aredia, had been with the Apaches only six months. The other, Jose Trinfan, who was slightly younger, had been a captive for six years and was considered by the Apaches to be a member of one of the Indian families. Bartlett's action caused a fearful row and almost triggered open violence. The Apaches, especially one called Ponce, became extremely agitated. During the following debates regarding the Commissioner's actions, Bartlett insulted Ponce, calling him something less than a man, and refused to talk further with the Indian. In the end, despite articulate and emotional appeals by the Apaches, the matter was "settled" with a payment of goods to the Indians valued at about $250.[30]

While at the copper mine headquarters, Bartlett made "friends" with the Apaches, especially Mangas Coloradas who had also visited Kearny when the Americans passed by the copper mines in late 1846. Bartlett had a full suit of blue broadcloth made for the Apache

> *which consisted of a frock coat lined with scarlet and ornamented with gilt buttons. His pantaloons, at his request, were open from the knee downwards, after the fashion of the Mexicans, with a row of small fancy buttons on one side, and a broad strip of scarlet cloth on the outer side from the hip downwards. A white shirt and red silk sash completed his dress.*[31]

Within two days, however, the Chief had modified his new outfit wrapping the gaudy pantaloons around his waist and moving one of the epaulets to dangle, according to Cremony, "bullion down, between the hind buttons of his coat."[32]

Until the Apaches learned to abuse the privilege, Bartlett fed many of the head men at his table. However, he soon tired of their turning over their plates to another until several had eaten at the same meal. The Apaches displayed one precaution in that they would always ask what the meat was because they knew that the Whites killed and ate bear, which the Apaches would not. Bartlett respected their beliefs and never tried to trick them on this issue.[33]

On July 5, 1851, some of Bartlett's men left to hunt for a cook who had fled the camp with a stolen horse, Colt pistol, and some extra clothing. After two days the pursuers overtook him, relieved him of the horse and pistol, and left him to find his way to the settlements as best he could.[34] This was very close to a

condemnation to death. Of course, Bartlett did not have a direct hand in the punishment of the runaway cook, but his implied approval did not square well with his later more lenient treatment of a Mexican teamster who murdered an Apache the next day.

On July 6, 1851, in an argument over the purchase of a whip, one of the hired Mexican teamsters, Jesus Lopez, shot and seriously wounded an Apache warrior to whom the whip belonged. This threatened to rip asunder the already stressed fabric of friendship and cooperation that had been enjoyed by the Apaches and the Boundary Commission. There was great turmoil in the camp with everyone running for his weapon and the Apache leaders fleeing to nearby hills to await developments.

Colonel Craig, displaying the kind of courage that would later cause him to die at the hands of two army deserters, approached the Apaches alone and persuaded them to return and remain calm. The situation was discussed, and it was decided to wait and ascertain the warrior's fate before resolving the issue. The Apache, attended daily by his relatives and the commission physicians, lingered for a month before succumbing to the grievous wound.

The Indians now demanded death for his attacker, with Ponce being one of the most outspoken. The Apaches even suggested hanging the culprit rather than demanding that they be allowed to put him to death by their traditional methods. Bartlett would agree to none of the alternatives offered by the Indians and tried to persuade them to allow the governor at Santa Fe to try the man and set the punishment. To this the Indians would not acquiesce.

The Commissioner then tried to induce the Indians to have the man's monthly wages of $20, plus another $20, paid to the dead warrior's family (he did not indicate for how long). Again the Apaches were insulted; of what value were things or money to replace a loved one? The Indians finally compromised and agreed to let the mother of the deceased decide, and she desired the prisoner's life. Bartlett refused, and the issue was settled to his satisfaction by paying the woman $30 and the promise of another $20 each month. The Apaches were not satisfied.

In the process, however, Bartlett saw fit to try to counter the Indians' arguments with a threat that

> *you can no longer be friends of the Americans. War will then follow; thousands of soldiers will take possession of your best lands, your grass valleys, and your watering-places. They will destroy every Apache they find, and take your women and children captives.*[35]

This was a serious tactical error and may have been one of the reasons the Apaches turned against the Americans shortly thereafter. The Apaches evidently read Bartlett's ultimatum correctly as an empty threat, at least at the time.

The American Chief Surveyor, Gray, so long delayed by illness, finally reached El Paso del Norte on June 24, 1851, and arrived at the Santa Rita camp on July 19. Here Bartlett asked him to examine the records and sign them. After he and Chief Astronomer Graham spent several days digesting what had transpired, Gray refused to sign the papers and challenged Bartlett's authority to appoint Whipple to his temporary position and Whipple's right to act in Gray's place.[36] He documented his objections in letters presented to Bartlett and forwarded to Washington and recommended that the work on the survey line west from the river be suspended.[37]

Gray was unaware that President Millard Fillmore's Secretaries of War and Interior (Charles Magill Conrad and Alexander H. H. Stuart, respectively) had agreed to the boundary as set by Conde and Bartlett. This Cabinet level decision may be partially attributed to their ignorance of the effect on the wagon road established by Cooke. However, it was probably more a result of sectional pressure from northerners and an unwillingness to assume responsibility for the behavior of the Indians within the disputed area required under Article 11 of the Treaty of Guadalupe Hidalgo.

When General Conde was notified of Gray's refusal to sign the papers, he contended that the Initial Point had been established according to the terms contained in the treaty and that the decision was irreversible.[38] However, the objections raised by Gray and others gained sufficient support in Washington that the survey would be suspended in late July 1851 with the east-west line half complete.[39]

Also during this summer some minor gold discoveries were made at Pinos Altos, northwest of the copper mines. A rush followed, and by the time

Bartlett moved on to start the surveys, there was a temporary settlement of 140 miners at Pinos Altos.[40] In later years, similar miners would commit an act of violence that outraged Chief Mangas Coloradas to the point of setting the Southwest ablaze with Indian fury.

The land at stake in the controversy over the Bartlett-Conde agreement comprised about 6,000 square miles. The primary issues in the arguments were the value and usefulness of the land and the desire for a southern route to California for wagons and possibly railroads. Bartlett defensively claimed that the only thing of value in the entire area was the relatively small Mesilla strip along the Rio Grande. Gray sharply differed and noted the land's value especially as a right of way for the eventual construction of a railroad across the southern United States.[41]

Whether it was the manner in which Bartlett handled relations with the Apaches, the influx of the miners, or both, in August of 1851 the Indians made off with most of the livestock belonging to the Commission, the miners, and the military. Fleeing south with the proceeds of their raids, the Apaches' rear guard became involved in a lively firefight with troops led by Lieutenant Whipple. Delgadito, leader of this particular party and witness to the insults between Ponce and Bartlett, began taunting the Americans from a "safe" distance of about 400 yards by exposing his posterior to them and slapping it with his hand, a favorite gesture of Apache ridicule.

Bartlett's driver (identified only as Wells) took understandable offense, borrowed Cremony's new Wesson rifle, and made a telling shot at the presented target. This produced animated results and an end to the Apache resistance for that day.[42] The Apaches, however, continued to harass the copper mine headquarters and the surrounding settlers, and even the military relief column from Dona Ana, under First Lieutenant Abraham Buford, was divested of most of its mules.

While the government attempted to resolve the problem of the east-west boundary line, Bartlett was determined to initiate the Gila River and Rio Grande surveys, and to make another expedition into the interior of Mexico on his way to the west coast.[43] His tour of Mexico extended to several months when he contracted a fever, possibly a result of the same illness that caused General Conde's death on December 19, 1851. However, Bartlett eventually recovered and completed his journey to the Pacific, which he had planned prior to departing Franklin on February 9, 1852.[44]

At San Diego he learned of Gray's and Graham's official removal by Secretary of the Interior Stuart. Bartlett immediately paid Gray and Graham and their men and discharged them. At this point, heeding the advice of Alabama Senator Jere Clemens, Cremony resigned and was replaced by Antoine Leroux. Bartlett then used the excuse of the mules' poor condition to take off on a "procurement" journey to northern California that included Monterey, the redwood forests, San Jose, San Francisco, the Napa Valley, and Sutter's Fort.[45] He returned to San Diego in April, visiting the historic missions of San Luis Rey and San Diego before departing east on May 31, 1852, still short of mules and supplies.[46]

Bartlett, the survey crew, and their military escort worked eastward to the Pima villages and arrived there about the middle of July. At this point Bartlett and a few companions separated from the main survey party and embarked on another extensive tour of northern Mexico before returning to Franklin on August 17, 1852. Whipple and the others continued east, probably stopping at Cooke's Spring before rejoining Bartlett in Franklin.[47]

When Captain Emory arrived in Franklin to take up the combined responsibilities of Chief Surveyor and Chief Astronomer from Gray and Graham, he signed the Initial Point agreement papers as he had been ordered but added a proviso that the document represented the conclusions of the two Commissioners only.[48] Congressional opponents of the Bartlett-Conde line soon declared it illegal, censured Bartlett for making such an agreement, and reproved Interior Secretary Stuart for siding with Bartlett and against Gray and Graham.[49]

Congress soon passed an appropriation bill with restrictions that President Millard Fillmore interpreted, in his usual cautious manner, as preventing him from legally spending the money to support further Boundary Commission activities. As a result, Secretary Stuart drafted a letter to Bartlett that forced him to disband the Boundary Commission and retire from the field. It was estimated that of the more than $500,000 spent by the Commission, only $100,000 actually went for running and marking the boundary in accordance with the Treaty of Guadalupe Hidalgo.[50]

The Gadsden Treaty

With the collapse of the Boundary Commission efforts, the status of the disputed area became even more unclear. As a partial result, a feud escalated between New Mexico's Territorial Governor, William Carr Lane, and the Mexican Governor of Chihuahua, Angel Trias, that threatened to erupt into a full-scale war over the town of Mesilla.[51] An unidentified soldier, stationed at Fort Fillmore, noted in his diary that in the latter part of March 1853, two companies of Mexican Lancers arrived at Mesilla to garrison the town against the Americans.[52] The incensed Lane called for military support but to no avail, so he raised a militia and sent it to Dona Ana. Trias followed suit by strengthening his garrison at El Paso del Norte.

To defuse the situation, both countries agreed to accede to the provisions contained in Article 21 of the Treaty of Guadalupe Hidalgo and initiate renegotiations to resolve the boundary differences.[53] During this period of disputed possession, the presidio at Tucson continued to be manned by Mexicans, and there was no problems between these troops and the Americans using the southern road through that town. On the Rio Grande, however, there were some problems. People outside the law took advantage of the jurisdictional dispute to flee to one side of the river or the other. On November 25, 1853, the United States Marshall at Las Cruces, Charles S. Rumley, noted that he was unable to serve a warrant for the arrest of Pedro Jesus Borule who was hiding across the river in Mesilla after beating another man to death with a club.[54]

In attempting to resolve the issue, not all United States politicians were in agreement. Again the opposing views were largely along sectional lines. James Gadsden was sent to Mexico to negotiate the purchase of sufficient land for a southern transcontinental railroad. He, like John Caldwell Calhoun, had been against any large land acquisition from Mexico and was opposed to the "mad designs of conquest" of President Franklin Pierce and others.[55]

Several months of negotiations led nowhere until on November 14, 1853, Gadsden received a whole battery of proposals from President Pierce to be presented to the Mexican Government. The five packages varied considerably in territorial boundaries and remuneration. The final offer, which was for the least land and money, would have paid Mexico $15 million and set the boundary at 31° 48' north, extending from the Rio Grande to the Gulf of California (Figure 21).[56]

This would have given Arizona and southeastern California a port on the "Sea of Cortez" (Gulf of California), which could have accelerated the development of the area and changed its character. But Mexico was reluctant to part with so much land (that would also isolate Baja California) and possibly realized the value of an ocean access to the southwestern states. Whatever their reasons, Mexico balked.[57] Boundary lines were further modified, and the payment was reduced to $10 million for the "Treaty of Boundary and Cession of Territory" that Gadsden and the Mexican plenipotentiaries signed on December 30, 1853.[58]

Again, parties in the United States were divided over the issue. Despite his personal desire for more territory, on February 10, 1854, President Pierce sent the document to the Senate for ratification or rejection. This was unfortunate timing because the controversy over the Kansas-Nebraska Bill was intensifying sectional disputes. Even Thomas Hart Benton, the great promoter of the West, opposed the new treaty because he feared that it would preclude a railroad terminus in his state of Missouri. He argued that routes were already available along more northern parallels and that Kit Carson had said of the region being considered, "A wolf could not make a living in it."[59]

Several amendments were offered and rejected until Senator James Murray Mason of Virginia offered a new boundary line that was accepted after minor alterations by Mexican diplomats, and the Treaty was passed on the April 15, 1854.[60] This established the boundary substantially as it exists today.[61] Gadsden was so dissatisfied with the amended version of the treaty that he went to Mexico with the partial hope that it would be rejected. However, he recognized that if this happened, a treaty might never be ratified by the Senate, and for his part, Santa Anna needed the immediate payment of the first $7 million to sustain his regime.[62] Unfortunately, Santa Anna squandered it without benefit to the Mexican people.[63]

Brevet Major Emory was assigned the task of conducting the survey for the new boundary on August 4, 1854. He was to function as Commissioner and

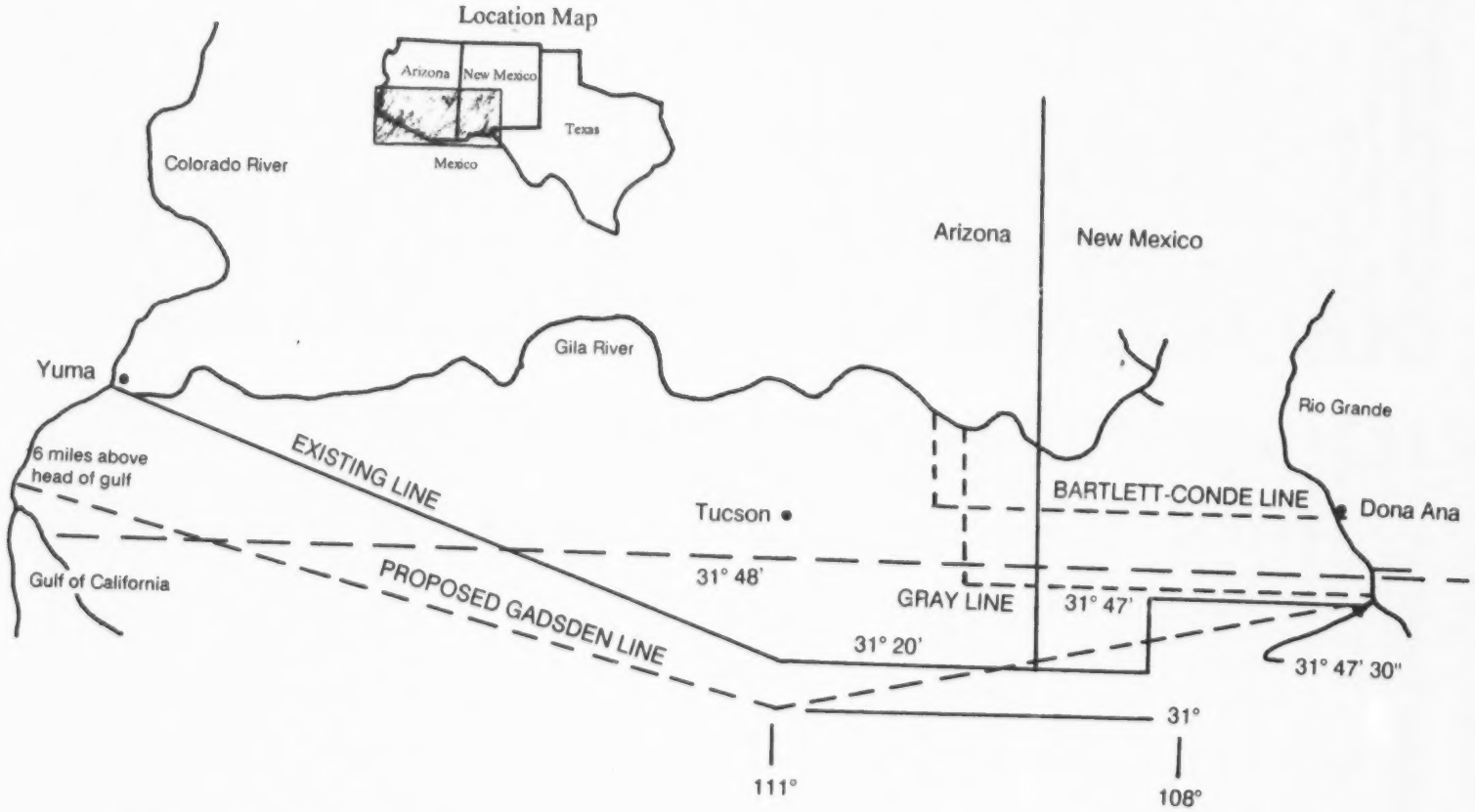


Figure 21. Gadsden Purchase options and the final boundary.

Chief Surveyor, so there could be no disagreement on critical issues. When Emory returned to Franklin on December 2, he found that there would be very few problems if any with the Mexican Commissioner because Santa Anna was so anxious to receive the remaining $3 million. The Americans were to make their own observations, and the Mexicans would check them later.[64]

The payment of the last $3 million to Mexico, agreed to in the Gadsden Treaty, was held up by United States legislators who thought the money should be used for the indemnification payments to Americans for losses incurred by the war. When General John Garland, acting on orders of New Mexico's Governor William Meriwether, raised the United States flag over Mesilla on November 16, 1854, Mexico's Juan Almonte demanded that Secretary of State William Learned Marcy approve the payment immediately.

The administration did not give his demands serious attention, and Secretary of War Jefferson Finis Davis considered the act "only a harmless ceremony."[65] Despite Mexican protests, the payment was withheld until after the boundary line was established. The survey fieldwork was completed on October 15, 1855, and the last payment made in February 1856, even though the official, ratified maps were not exchanged until June 25, 1856.[66] The acquisition added nearly 30,000 square miles to the United States and sealed the Cooke's Peak area and the wagon road as integral parts of Manifest Destiny.

Surveys for the Pacific Railroad

Before the surveys to establish the new boundary under the terms of the Gadsden Treaty were complete, many people were agitating for a railroad to the west coast over the southern route. However, before yielding to sectional pressures, Congress sought to determine the best Pacific railroad route by means more scientific than men's emotions. To accomplish this goal, Congress appropriated $150,000 for five surveys, with Secretary of War Jefferson Davis entrusted to carry out the details. Davis first went to Colonel John James Abert, Chief of the Topographical Engineers, for advice. However, he then assigned the direction of the specific efforts to the Office of Explorations and Surveys, a newly created War Department agency.[67]

Surveys were to be made along the 48th parallel, led by Issac Ingalls Stevens, Governor of the Oregon Territory, and along the 42nd parallel, led by E. G. Beckwith. Captain John Williams Gunnison would supervise a survey along the 38th parallel and First Lieutenant Amiel Weeks Whipple would lead an expedition along the 35th parallel. The southern route along the 32nd parallel was divided among three groups led by First Lieutenant John Pope, Brevet Second Lieutenant John Grubb Parke, and Second Lieutenant George Stoneman (Figure 22). Simultaneously, a private survey for a southern route was funded by the Texas Western Railway Company, under the direction of Andrew Belcher Gray.[68]

Prior to any of these surveys, a Santa Fe trader, Francois Xavier Aubry, had driven sheep west along the southern route and returned from California along the 35th parallel, arriving at Santa Fe by way of Albuquerque. He made his return this way specifically to assess the terrain for a possible railroad route. In reporting his findings, he leaned definitely toward the more northern route because he saw it as "being more serviceable to the Union."[69] From a technical standpoint, he listed relatively equal advantages and problems for each.

Lieutenant Parke was in San Diego when his instructions (issued on November 18) reached him on December 20, 1853. He was to explore from the Pima villages in Arizona to the Rio Grande using a party and equipment from the Whipple and Williamson expeditions. When he got as far east as Cooke's Wagon Road, he was to proceed to the Rio Grande by the best and shortest route and intersect the river somewhere between Dona Ana and Frontera, a few miles upriver from Franklin. Because the Gadsden Purchase had not yet been settled, permission by Mexico to run a line through the northern part of that country was needed, and it had been granted.[70]

Parke set out from San Diego on January 24, 1854, with a group of 56 men of which exactly half were a military escort.[71] The survey party passed through Tucson and reached the Mimbres River in March. On March 7, Parke sent a scouting party north to inspect Fort Webster (the old copper mine headquarters facility) only to find it in ruins. The Apaches had sacked and burned the abandoned

Figure 22. The railroad surveys in the western United States, 1854.

facility the previous December. Parke continued on to Cooke's Spring and recorded that the road from there to Fort Yuma (having eliminated the ox-bow portion of Cooke's route) was good and presented no obstacle to rapid wagon transportation except for one steep ascent and patches of desert sands.[72]

From Cooke's Spring, the route lay across open plains to the Mesilla Valley. This was known to be an entirely practical route. Parke, however, decided to try a more direct, southerly route from Cooke's Spring to the river. He found a pass between the "Picacho de los Mimbres" (Cooke's Peak) and the Sierra Florida which afforded a fine route to Fort Fillmore, located west of the Rio Grande and eight miles south of Mesilla. Arriving there about the middle of March, he had in 27 days explored and marked a 373-mile route from the Pima villages to the Rio Grande (Figure 23). All things were favorable to the construction of a rail line except for inadequate water; including Cooke's Spring, there were only nine reliable sources along the entire route.[73]

The route was reported as favorable for several reasons. The mountain passes were low; the surface was suitable for construction of the most costly item, the road bed; the temperature and weather were moderate; and a considerable percentage of the route was over table lands.[74] The United States Army Corps of Topographical Engineers already favored this route, and the survey report met with the strong approval of Secretary of War Davis.[75]

In August, about six months after Parke completed his survey, President Franklin Pierce vetoed an omnibus River and Harbor's Bill. He was against the measure not because of the question of importance or need but because, constitutionally, the road had to be required for military service if federal funds were to pay for its construction.[76] Thus, it was necessary for Congress to consider each proposed road and railroad against this criterion.

After completing a railroad survey between San Francisco and Los Angeles in 1855, Parke (now officially a Second Lieutenant) decided to improve his survey of the previous year along the 32nd parallel route. Parke's survey party split in several groups at various times to examine alternate routes and compare notes. They did find what they considered a more favorable route slightly south of the one surveyed the previous year. However, from Cooke's Spring to Fort Fillmore, Parke followed the usual wagon road, diverging only near the edge of the mesa and descending to the river bottom by a smooth and easy slope that avoided the rough canyon north of El Picacho.[77]

By locating a new pass in Arizona, Parke had reduced the number of passes to be crossed to 4 and the maximum elevation by 1,000 feet. The maximum grade was also reduced from 93 to 60.3 feet per mile.[78] In his summary report, Parke claimed that from the Rio Grande to the Pima villages there were about 300 miles of smooth, hard road. He estimated that the trip from Fulton, Missouri, to San Diego would take fewer than 30 days.[79] As a result of Parke's and other reports, Secretary of War Davis, in his annual report for 1855, asserted that "such a road would be of great advantage in military operations and would facilitate the transportation of the mail across that country."[80]

Congress, however, continued to debate the issue with each side, North and South, apprehensive that the other was trying to gain an advantage. In 1856 sectionalism intensified following passage of the Kansas-Nebraska Act. The result was that no railroad would be built in the West until after the Civil War. However, if the railroad were to be delayed, wagon roads did not have to suffer the same consequence. California Senator John B. Weller urged the construction of two wagon roads to the California border, one by way of South Pass and Salt Lake, the other from Franklin to Fort Yuma. From these points the Californians would build their own segments of the transportation network.[81]

In speaking before the Senate in May of 1856, Weller waved a petition by 75,000 Californians and shouted, "California, when she speaks, desires to be heard."[82] He sponsored three road construction bills, including one to provide $200,000 for construction of the Franklin-Fort Yuma Road. During the first week of July, the appropriation bill was passed. The road construction was an issue in the 1856 political campaigns, and the successful presidential candidate, James Buchanan, pledged continuing support for improved communication with the Pacific coast.[83]

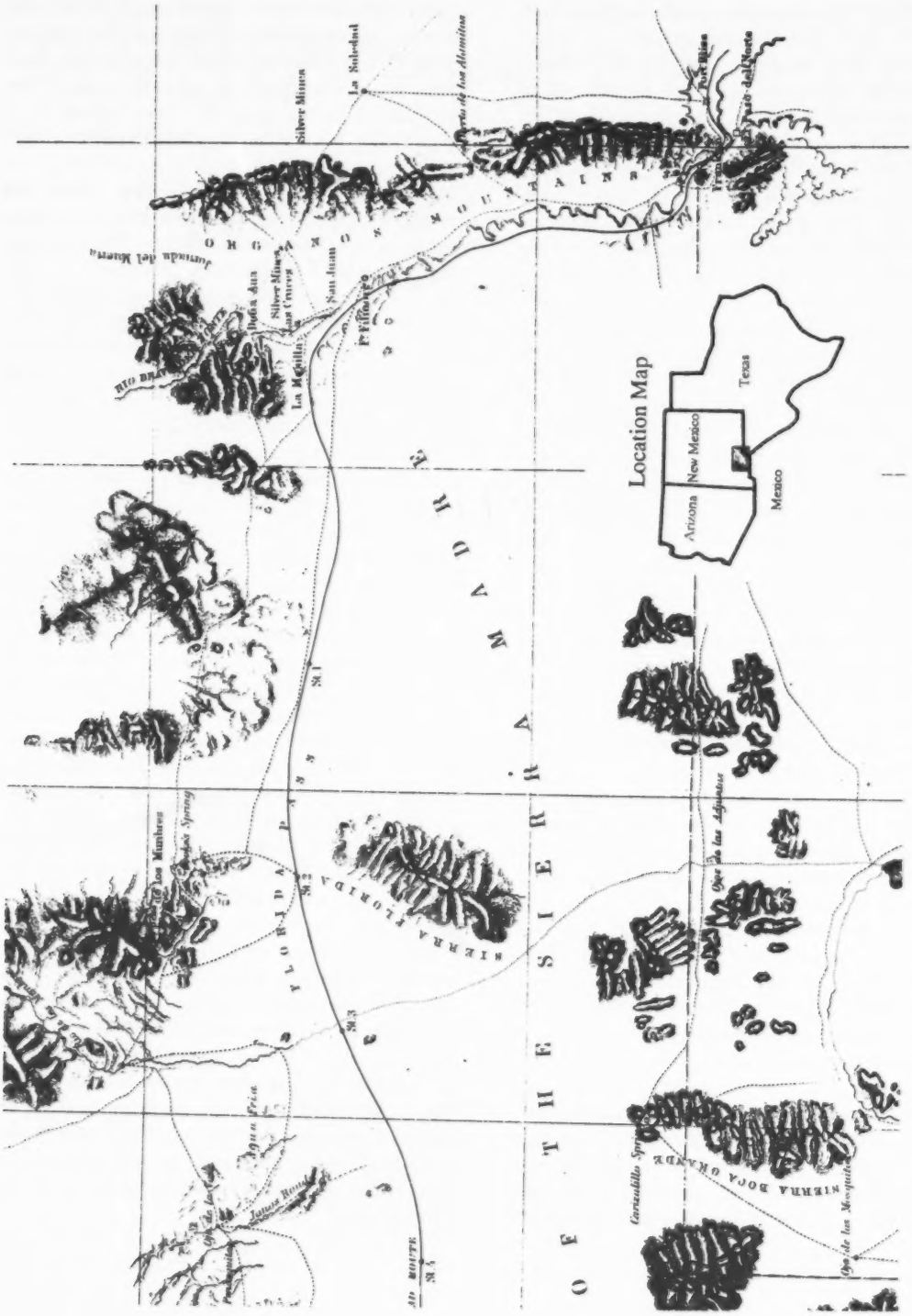


Figure 23. Parke's routes from Cooke's Spring to the Rio Grande.

The Frontier Soldier and the Indians

The Ojo Caliente (Warm Springs) Apaches (also known as the Coppermine Apaches, Mimbres or Mimbrenos) and the Gila Apaches traditionally inhabited an area in southwestern New Mexico between the Black Range and the present-day Mexican border, but ranged deep within Mexico when their mood or needs required it. According to the Treaty of Guadalupe Hidalgo, the United States was to prevent these nefarious penetrations of the new, and still disputed, boundary.

In the early territorial days of New Mexico, only a few military installations could be accurately called forts. Small detachments of the military, under Brevet Lieutenant Colonel John Munroe, were stationed in towns along the Rio Grande from Taos to El Paso del Norte and frequently were housed in either abandoned buildings or tents. Such was the case when troops were garrisoned at Dona Ana in the spring of 1848. In January 1849 Indians robbed another wagon train near there and were seriously threatening the community's existence.

A major military presence was established farther down the Rio Grande when Brevet Major Jefferson Van Horne arrived at Coons' Rancho on September 14, 1849, with 257 soldiers, a massive wagon train, and 2,500 head of livestock. He had been delayed because a large group of emigrants had attached themselves to the military column for protection. Van Horne leased quarters for his men from Coons but apparently was sufficiently unimpressed to record a description of the facilities.[84]

The daily life of the frontier soldier was a hardy one requiring patience and stamina. The food by any standard was nutritionally poor and at best monotonous. Added to this was the low pay, when it was on time, the long hours, and always a clear and present danger from the Indians. These men who served on the frontier had a variety of duties, many boring and some dangerous. They frequently constructed their own shelters; escorted wagons and freighters over roads that they might also have constructed; supported and protected surveying parties; freighted many of their own supplies, some of which they shared with emigrants and expedition groups; grew their own gardens and tended their four-footed commissary and riding stock; cut wood and piled hay; protected private and government property; assisted and fed friendly Indians; and fought those who were not.[85] At $7 per month for enlisted men, small wonder that army desertions ran high.

In the Southwest, with great distances to cover on patrol or in response to Indian raids, the military frequently used mounted soldiers called Dragoons or Mounted Riflemen that later evolved into units of the Cavalry.[86] These troops were most likely armed with one of the various models of the 1840 Hall breech-loading .54-caliber carbine and the long, heavy, Model 1840 cavalry saber commonly referred to as "old wrist-breaker."[87] A cap-and-ball revolver completed the personal armament. Infantry weapons were usually confined to one of the several smooth-bored and hence terribly inaccurate muzzle-loaders varying from .54- to .69-caliber. Frequently, mounted infantry or cavalry were accompanied by small artillery pieces commonly called mountain howitzers.[88]

The lot of the Indians may have been better in some ways, but it was worse in many more. They had suffered greatly in the years of constant conflict with the Mexicans and the Spanish before them. By the middle of the nineteenth century, the Apaches were compressed into the limited areas they would inhabit during the Indian Wars with the Americans.[89] In their desperate struggle to escape annihilation, between 1540 and 1886 these people were the principal factor preventing Whites from occupying and developing the Southwest according to Anglo standards.[90]

Although in later years the Apaches fought with captured or purchased firearms, they augmented these with primitive (but frequently more reliable) weapons such as bows and arrows and lances. The lance, possibly native but more likely an adaptation of the Spanish weapon, was a favorite for many. It was made of an agave stalk, reinforced with rawhide and pointed with a sharp stone, knife blade, or perhaps even a captured bayonet. The length of this formidable weapon was about 15 feet. Apaches, both women and men, almost always carried a knife of some sort for defense and other utilitarian purposes.[91]

One of the important elements in the Apaches' ability to resist military control and avoid the troops was the reading of tracks and other signs and the

sending of signals. The Indians used smoke signals, fires, and reflected sunlight to communicate with other groups or bands at surprisingly long distances.[92]

History has treated the Apaches no less cruelly than they frequently treated their enemies. Stories abound of mutilations and use of fire, sun, or ants to inflict pain during a captive's prolonged death. How extensive this was could be debated, and it was not all one-sided. Nevertheless, authors and Hollywood have nearly always depicted the Indian, especially the Apaches (of whatever band or tribe), as bloodthirsty and heartless, having few, if any, redeeming social traits.

An example of savage retaliation against the Apaches was recorded following an Indian ambush of a small Anglo party on the Santa Fe Trail. James M. White, a Santa Fe trader, had left Kansas City, Missouri, on September 15, 1849, in a large caravan organized by Francois Aubry. Despite Aubry's warnings, White left the train on October 23 in two carriages with his family and six other people. Two days later, near Point of Rocks, they were attacked by a band of about 100 Apaches. All were killed except Ann White, her eight-year-old daughter, Virginia, and a Black female servant who were carried off as captives.[93]

The army, under command of Captain William Nicholson Grier and led by scouts Christopher "Kit" Carson and Antoine Leroux, soon caught up with the Indians. James A. Bennett, one of the soldiers, noted that in a dawn attack on the Apache camp, Mrs. White and eight Indians were killed; however, the child and servant were never found. That night, a noise near the camp was discovered to come from an Indian baby strapped to a board. One frontier-hardened old soldier picked up the child, tied a heavy stone to the board and threw it, child and all, into the river, commenting that he only wished he could treat more the same way.[94] It is little wonder that the frontiersmen had a saying that there was "no Sunday west of St. Louis and no God west of Fort Smith."[95]

On May 25, 1849, the Mexican Government took a step that would sever any chance of peace between Mexico and the Apaches. Chihuahua reinstituted the bounty for Indians, offering 250 pesos for each live warrior, 200 for adult male scalps, and 150 pesos for each female or child taken captive. In 1849 this action would cost the Mexican government 18,000 pesos and fuel the Apaches' already intense hatred for the Mexicans.[96] During this period of transition from Mexican to Anglo control, the Apaches focused most of their attention to the south and on subsistence raids.

One group of marauding Apaches was led by a White renegade, "Apache Jack" Gordon, a Virginian whose real name was Peter Worthington. Their persistant raids against settlements along the Rio Grande and Gila River brought them into repeated confrontation with Captain Enoch Steen and his Second Dragoons who were stationed at Dona Ana. One engagement, in September 1849, took place near the copper mines. In face-to-face combat, Gordon shot Steen through the side with his rifle before he and his Apaches escaped into the mountains.[97]

Rarely did the American military attempt the rescue of a large party, because the Apaches usually took only the healthy children. Sometimes the women, if not wounded in the attack, would also be taken, especially if the tribe had suffered a recent decline. However, in October 1849 Captain Steen received a report at Dona Ana that an emigrant party enroute to California had been attacked with 30 being killed and an equal number carried off to the copper mine area. He reportedly assembled a force of 125 men, combining his First Dragoons and some "Mexican Dragoons," and went after the Apaches with unreported outcome.[98]

On February 2, 1850, a band of Gila Apaches attacked the town of Dona Ana, on the east bank of the Rio Grande, killing one man and wounding three. While Steen, now a Major, gave vigorous pursuit, another band relieved the winter hay and feeding problems of the community by making off with almost all the remaining stock. As a result of continuing Indian depredations, Steen recommended that a fort be established at the copper mines to "overawe" the hostiles. However, it was not until late the following year, after Steen shifted the emphasis of his request to indicate the substantial cost savings over rented quarters in Dona Ana, that Colonel Munroe ordered Fort Webster established there. It would serve the dual purpose of guarding the mines and shielding the Rio Grande communities from Indian attacks.[99]

Neither purpose was well served in the end. The establishment of a garrison within the Mimbres Apache homeland at Fort Webster added to the

United States Government's show of bad faith in not delivering supplies already promised to the Apaches. The new fort, the presence of numerous surveying and exploring parties, and the influx of miners and settlers combined to trigger the escalation of Apache hostilities. After all, if the government would not let them steal from and fight with the Mexicans, who then was left?[100]

Those left, in addition to the miners, military, and Boundary Commission at the copper mines, were isolated settlers and small communities along the Rio Grande, emigrants passing through, and itinerant traders. A few months prior to establishing Fort Webster at the copper mines, rapidly increasing Apache depredations necessitated the construction of Fort Fillmore, initiated on September 23, 1851. This new installation was located a few miles below Mesilla, on the east side of the Rio Grande, within Hugh Stephenson's 21,000-acre Brazito Grant. It was initially a jacal structure, but later buildings were constructed of adobe bricks. The troops manning the post during its construction had been withdrawn from the installations at Dona Ana, San Elizario, and Franklin.[101]

Despite increased military presence, attacks on local settlers and emigrants continued and the military received its share of Apache attention. In late January 1852, either the Mimbres or the Gila Apaches attacked a patrol of 14 United States soldiers west of the Rio Grande, killing 4, wounding 3, and running off their stock.[102] The following month a government freight-wagon train carrying military stores was attacked while traveling from Fort Fillmore to Fort Webster. The mules were killed or driven off and the wagons plundered. The teamsters, however, managed to escape with their lives.[103]

With the blame arguably distributed, the Apaches became so aggressive in early 1852 that they practically held the Mesilla Valley and surrounding territory hostage. In addition, their raids nearly destroyed any trace of settlement in northern Mexico.[104] Were it not for the seriousness of the situation, it would be humorous to note that in November, when Marcial Padilla recruited 80 men from El Paso del Norte and picked up 64 more at Mesilla to punish the Apaches, the expedition was temporarily delayed because Apache raids had left the New Mexicans without sufficient mounts.[105]

Increased pressure from American settlers, emigrants going to California, and the miners crawling all over the Apaches' beloved mountains continued to elicit Apache raids on citizens and military personnel alike. The burden of finding solutions rested primarily with the United States Government which had the force of law and, at least theoretically, the power of enforcement. Finally, the government moved to deal directly with the Indians as authorized by its own laws.[106] The increase of hostile activity made the Treaty of July 1852, and subsequent agreements, urgent.

The Treaty, initially negotiated by Charles Overman, was concluded by Lieutenant Colonel Edwin Vose Sumner and John Greiner, acting Superintendent of Indian Affairs for New Mexico. It was ratified by Congress and signed by President Franklin Pierce on March 25, 1853.[107] It provided that

> *the Mimbres recognize the jurisdiction over them of the United States, establish amity, avoid depredations against citizens or livestock, refrain from predatory incursions into Mexico, permit establishment of military posts among them, rely upon the justice and liberality of the government to establish fair territorial boundaries, and accept such liberal and humane measures affecting them that Washington may deem meet and proper.*[108]

Several of the Apache chiefs, including Mangas Coloradas, had signed the agreement at the Acoma Pueblo on July 21, 1852, and it may have had a positive effect for some time because reports of major incidents were less frequent until the 1860s. The drovers and herders of the middle and late 1850s do mention a few attacks, mostly west of the Mimbres River, and the stage lines of the late 1850s suffered most of their problems east of Franklin. The military kept busy with routine patrols, construction efforts, and the inevitable paper work, if the Indians were quiet, which was not always the case.

In 1853, an unidentified infantryman stationed at Fort Fillmore (who had attended Yale but was not an officer) recorded the recurrence of difficulties with the Indians in his diary. He identified Ponce and Delgadito, now apparently recovered from Ward's telling shot of nearly two years ago, as heading the malcontents.

Lieutenant Morris, the adjutant of Fort Webster, came in today from Mesilla, where he had been sent after corn for the horses of the dragoons under Major Steen. Morris reports that the Indian, Del Carditis [Delgadito], who had been among those who made the treaty of peace with us some time ago, is at the head of a party of outlaws. Del Carditis and his band refuse to treat with the Indian agent, Greener [John Greiner] or receive any supplies from him. The whole command was sent out from Fort Webster after his band. It headed for the camp of the Indian Ponce, who whenever he chose would come in and profusely profess friendship. Before reaching Ponce's camp our troops came upon Del Carditis' party. There was an engagement. Our soldiers succeeded in killing two of the Indians and wounding quite a number of the others.[109]

Apparently the confrontation was deemed rather serious because three days later the diarist noted, "We are ordered back to [new] Fort Webster on the Rio Mimbres."[110] Indeed, his entry of July 5, 1852, located the column camped at the river. They had made a grueling desert march from Fort Fillmore to Cooke's Spring that had exhausted most of the men and several had become lame.

A Mormon wagon train was camped at the spring, and the people were celebrating with fiddling and dancing. Despite the soldiers' jaded condition, some of the women urged them to join the frivolity, which obviously displeased their menfolk. The Army officers feared trouble between their men and the Mormons so, despite the physical condition of the soldiers, they soon pushed off on a night march and reached the Mimbres River about 8 a.m. the following morning. Men continued to straggle in for two hours, and a rider was sent back for a Private McGuire who had dropped out somewhere along the way. Shortly after camping near the river, the soldiers discovered that half the oxen were missing. A party was sent in pursuit and the two Indians responsible abandoned the cattle and slipped away. The diarist later noted that Private McGuire had been rescued.

On December 20, 1853, after occupying the site a little more than 15 months, the military abandoned the new Fort Webster, leaving behind several thousand bushels of corn belonging to a civilian named McGowan. The Indians lost no time in sacking the fort and then proceeded to set it on fire before the soldiers had marched out of sight. The troops returned through Cooke's Canyon and then angled northeast to the Rio Grande. On Christmas Day they camped at Santa Barbara near where Fort Thorn was to be constructed.[111]

On December 24, 1853, Fort Thorn (Figure 24) was officially established on the west side of the Rio Grande, by a company of troops from Fort Craig, just below the point where Cooke's Wagon Road turned west.[112] In October 1849, Captain Herman Thorn, had been working for several days helping emigrants across the Colorado River using two canoes lashed together. At dusk on the sixteenth, the canoes somehow capsized. Thorn was a good swimmer, but an old Mexican clutched him and both drowned. When Thorn's body was found November 1, the marks on his leg from the Mexican's fingernails were still visible.

Fort Thorn would prove to be an unhealthy post and existed only a little more than five years. Four days after the fort was organized, Captain Richard Stoddert "Baldy" Ewell crossed to the east bank of the river on his way to Franklin to assist Captain Emory in the Gadsden Treaty boundary survey. In the process of crossing, Ewell's men lost three horses, two mules, two boxes of ammunition, and some of their provisions.[113] However, for a short period the fort was an important facet in the government's campaign against the Indians.

Elsewhere, the alleged ravisher of Mrs. James M. White, a Jicarilla Apache subchief named Lobo Blanco, finally paid the ultimate price for the October 25, 1849, slaughter of the well-known Santa Fe trader and his companions near Point of Rocks. Following increasing Indian depredations, Governor Lane had made an agreement in the winter of 1852 with several bands of northern Indians to move west of the Rio Grande and forego attacking civilians along the Santa Fe Trail in return for government furnished subsistence. When the Commissioner of Indian Affairs, George W. Manypenny, demanded a sudden cessation of the largess, the Jicarillas and Utes resumed their former activities.

When they ran off some cattle belonging to the Fort Union beef contractor, the military commander, Lieutenant Colonel Philip St. George Cooke, sent Second Lieutenant David Bell and 30 men of the Second Dragoons in pursuit. On March 5, 1854, 50

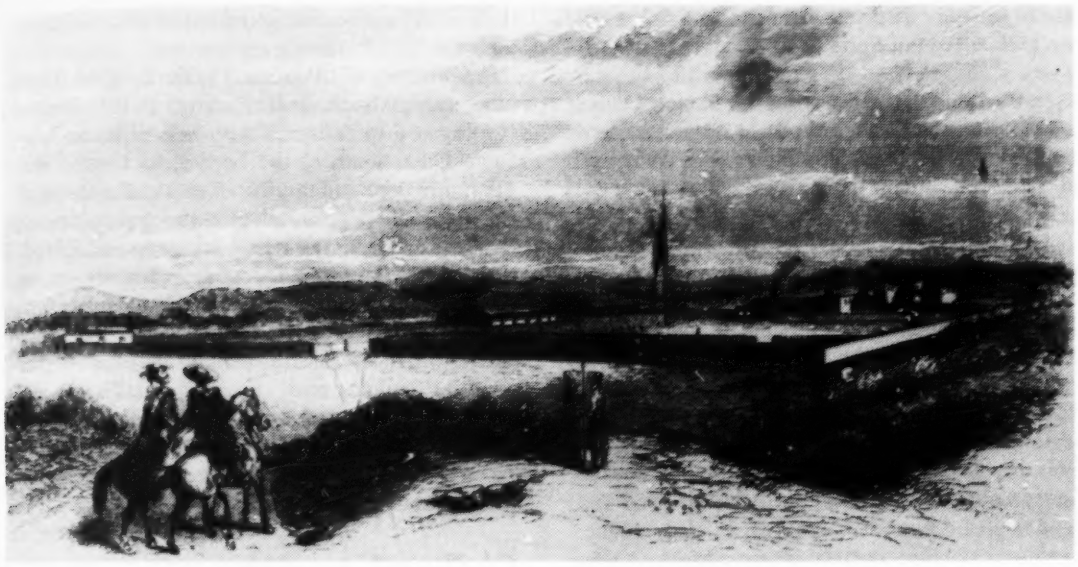


Figure 24. Fort Thorn, New Mexico. Photo courtesy of the Museum of New Mexico, #1819.

miles southeast of the fort, the troops clashed with the Indians in a brief but sharp action in which Lieutenant Bell downed Lobo with several pistol shots, and one of his men finished the job, Navajo style, by squashing the Apache's head with a large rock.[114]

An attempt was initiated to control the Mimbres and Gila Apaches by means other than military force. An Indian agency was created with its headquarters near Fort Thorn, and on May 9, 1854, Dr. Michael Steck, a former surgeon with the Army of the West, was named agent.[115] Steck, who would be fair with the Indians, later insisted that many of the depredations reported in New Mexico were not the work of Indians, whom the settlers invariably accused. He claimed that Mexicans and other desperadoes were responsible for so much lawlessness at the time that one could seldom be certain who was stealing from whom. Nevertheless, the government moved toward further isolation and confinement of the Apaches.[116]

On August 12, 1854, James Bell, a young cattle drover from Texas, described the town of Santa Barbara and Fort Thorn. He recorded that the town consisted of 8 to 10 houses of Mexican style (and of an inferior quality) and that the fort and surrounding buildings were constructed of adobe and covered much more ground than did the town. He also noted that several hundred-thousand adobe bricks covered the ground near the fort and were to be used for some government purpose.[117]

The government continued its policy of containment of the Apaches and made another treaty with them in April 1855 (after failing to achieve Congressional ratification of a document signed by negotiators in 1853). This instrument, for the first time, was aimed at getting the Mimbres and Mescaleros to cede large amounts of their land and confining them to reservations. The Indians were to retain about 2,000 to 2,500 square miles for their exclusive use, whereas each tribe relinquished claim to 5 or 6 times that much territory. Many, including Mangas Coloradas, were understandably reluctant to sign the document.[118]

Governor Meriwether's attempts to secure ratified treaties with the Apaches bore some fruit in that about 300 Mimbres, under Cuchillo Negro and other leaders, took up farming near the Agency under the paternal guidance of Steck. Nearly 500 more Gilas remained relatively quiet along their river and planted corn, only occasionally collecting subsistence from Steck.

Delgadito, also by now expressing a friendly face to the Americans and Agent Steck, had the misfor-

tune to get enmeshed in the two-pronged field exercise initiated out of Forts Craig and Thorn in early March 1856. His band was camped on the Mimbres when Captain (Brevet Lieutenant Colonel) Daniel T. Chandler, returning to the Rio Grande, crossed their stock trail. Chandler attacked the camp and felled several Indians before sounding recall at the Indian's presentation of a white flag. The Apaches convinced Steck, who had accompanied the expedition, that they were waiting to confer with him, and he responded by unleashing an attack on Chandler that resulted in a flurry of inter- and intrabureauracy correspondence over the incident.[119]

The Apaches, despite their mistrust of treaties and government representatives, would have to learn to deal with the American Government and its representatives, because the final installment for the Gadsden Purchase was paid in February 1856 and the completed boundary maps exchanged in June, legally transferring "ownership" from Mexico to the United States. The Mexican garrison in Tucson was recalled sometime between the two dates leaving the area and the emigrant road temporarily unprotected. Despite the fact that General Winfield Scott had issued orders on June 17, 1856, it was not until mid-October that Major Steen, assembled sufficient men and supplies at Fort Thorn to initiate the reestablishment of a military presence at or near Tucson.[120]

When Steen's troops finally pulled out of Fort Thorn, on October 19, they had a wagon train loaded with a six-month's supply of stores and were driving a large herd of cattle. They proceeded west by way of Cooke's Spring and the route explored by Parke in his surveys for a railroad. Steen first established his military headquarters not in Tucson, as directed, but in Calabasas, about 60 miles south of Tucson. Once in Calabasas, Steen quickly instituted a monthly military mail (carried by express riders) between that site (Camp Moore) and Fort Thorn, where the express connected with the regular government mail service to Santa Fe.[121]

In November 1856, Navajo Agent Henry L. Dodge disappeared while deer hunting near the Zuni Pueblo and the blame fell on the Mogollon Apaches who had been stealing sheep along the Rio Grande. Agent Steck attempted to ransom Dodge, assuming he was still alive, and enlisted Mangas Coloradas's efforts and influence. Their exertions proved fruitless, however, as Dodge was already dead, but his body would not be discovered until early the following year.[122]

The presence of the military in the Southwest had other impacts on the civilian sector. In 1856 Simeon Hart agreed to deliver 700 bushels of beans from Santa Cruz, south of the border, to Fort Thorn, Tucson, or other military installations, all at the same price: $1.60 per bushel plus the transportation charge of $2.90 per bushel.[123] The army undoubtedly stimulated local economies but apparently was not directly responsible for the establishment of any permanent new settlements. And, for the army, most of its time was still spent at assorted routine activities, building and repairing installations, escorting government and civilian parties, tending gardens, marching out on mostly uneventful scouting expeditions, and processing paper.[124] This would change dramatically in a few years.

Civilian Use of the Southern Route

It is difficult to determine whether the emigrants or the forty-niners came first, because in many cases they were the same people or at least were traveling west in the same groups. Therefore it was purely an arbitrary decision to examine first the record left by those who were more clearly interested in gold, at least when they started west. Many of the early gold seekers went by way of the sea, either around Cape Horn of South America, or in two sea stages that sandwiched crossing the Isthmus of Panama by mule-back. Others first sailed to Brownsville, Texas, then up the Rio Grande to some jumping-off place and traveled overland the rest of the way. In the summer of 1849 more than 400 wagons passed through El Paso del Norte on the latter route. The docking of the steamer *California* of the Pacific Mail Steamship Company line on February 28, 1849, marked the official date of the arrival of the first forty-niners' in California.[125]

Nearly all Southerners seeking the golden glory of California used part or all of Cooke's Wagon Road, or as it was frequently called, the Gila Trail. Even many midwesterners used the route, after coming to New Mexico from Missouri by way of the Santa Fe Trail.[126] Many of the forty-niners using the Santa Fe Trail joined one of the caravans of veteran traders

constantly shuttling between Santa Fe and Missouri or formed their own parties. Once in Santa Fe, some chose to veer off on the Old Spanish Trail that turned northwest from Santa Fe before making nearly a square turn to the southwest near present-day Silina, Utah, toward California.

Most (about 8,000 in 1849), however, chose to follow the Rio Grande south and then pursue either Cooke's or Kearny's route west (Figure 25).[127] The forty-niners and other emigrants used Emory's 1848 notes and/or Cooke's 1849 journal as guidebooks for the way west from the Rio Grande to California.[128] Some of these Argonauts were well prepared. Others were not. Benjamin Ignatius Hayes was one of those who used the Santa Fe Trail west from Missouri and then followed the Rio Grande south to connect with Cooke's route to southern California. Hayes would become a prominent and respected Judge in southern California.[129]

The reasonably prepared Hayes departed Independence, Missouri, on September 10, 1849, leaving his wife and slave-holding family behind and headed for "El Dorado." He apparently had little idea of the value of services in the outside world or how long his money would have to last because, after being thrown from his mule a second time the first day on the road, he paid $5 to spend the night at the nearest house. Hayes may have been very close to death without realizing it, for while guiding him to the main road the next morning, his host casually remarked, "How easy I could kill you now, and nobody would ever know it."[130] Ten days later Hayes wrote his wife and noted that his "bread had held out admirably. I still have left a few of your biscuit."[131] He also later recorded that he was reading Cooke's journal.

From Santa Fe, the party Hayes was traveling with headed south on October 23, 1849. Instead of following the Rio Grande, they passed behind the Sandia and Manzano Mountains east of Albuquerque and by the deserted Indian missions of Quarai and Abo before crossing the river to stop at Soccoro. Here the company rested and prepared for the more strenuous part of the journey and to wait for the numerous other fragments that would compose the total company. Most of his group tried to outfit for 50 days, which required about 60 pounds of flour and 25 pounds of bacon each. They intended to go by pack mule, and Hayes figured his mule was carrying only about 80 pounds, so it was lightly loaded.[132]

While still at Soccoro in early November 1849, Hayes received word of the White party massacre and the fate of White's wife and child. He was quite taken aback because he had been introduced to the Santa Fe trader shortly before leaving Independence, and it had been recommended to Hayes that he accompany the Whites.[133] He felt most fortunate that he had not.

About the middle of November, just below San Antonio, New Mexico, Hayes' party disagreed on on which route to follow, Kearny's or Cooke's. The majority chose Cooke's and selected H. M. Cooper as their captain. Hayes must have been appointed to make a record of the division, because he recorded the names of 73 men (and "two colored men") in his group and 35 (plus "one colored") in the other.[134]

Hayes also recorded that, following the separation, their mode of travel was to have breakfast before daylight and for each family or mess to pull out individually when ready.[135] They rode until the middle of the afternoon without unsaddling or unhitching and then stopped and set up camp for the night. Hayes questioned the prudence of fragmenting into small parties, not resting during the heat of the day, and finishing the day's journey so early.[136]

Before leaving the Rio Grande on November 20, 1849, Hayes noted that wagon tracks seemed to lead off at several points. These were probably the result of earlier groups' efforts to cut off a few miles to Cooke's Spring.[137] Hayes group arrived at Cooke's Spring on November 21, 1849, nearly three years to the day after the Mormon Battalion. He called it a swampy hole with many wells of good water in the neighborhood.[138]

During the night, at Cooke's Spring, John Chaffin died. He had been ill since leaving Soccoro but always "rode the days journey." Hayes recorded:

> *We are now in camp waiting for the grave to be finished. The morning is very cold, with a piercing wind from the southwest; a few drops of rain fell at an earlier hour; a genuine November day. . . . The grave was dug near the roadside; cedar logs were procured on the hills half a mile from the camp. There were no materials to make a coffin. He was wrapped in a blanket, then laid in his overcoat, as if the more to protect him from the chill sod. Cedar logs were laid above and filled with sprigs of cedar; then a layer of earth and . . . large rocks above to*

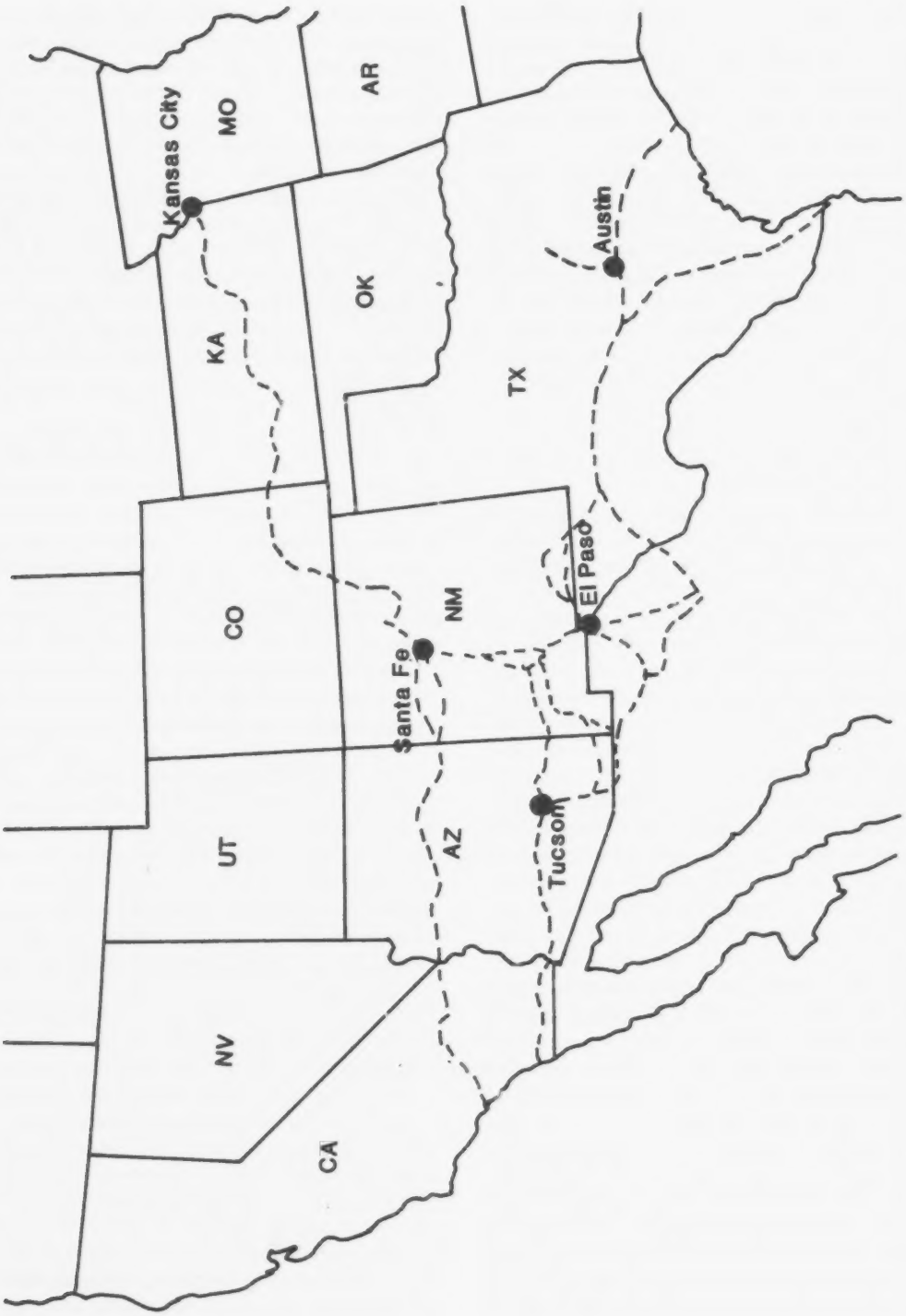


Figure 25. Routes of the emigrants, forty-niners, and cattle drives.

prevent the wolves from opening the grave. . . . He leaves in Platte County, Missouri, a wife and four children.[139]

The Hayes company reached the junction of the Gila and Colorado Rivers on December 31, 1849, having undergone still another reorganization nearly two weeks earlier. At the ferry crossing, Hayes met Colonel Carrasco, serving with General Conde's Mexican Boundary Commission who had just completed the boundary survey from the Pacific Coast to the Colorado River. Through intervention by this Mexican official, Hayes' party was able to cut in half the ferry fare for each person (but not for the mules).[140] Colonel Carrasco estimated that of the approximately 12,000 who had passed this point in 1849, probably one-half were Sonorans.[141] A few days later Hayes noted that some military acquaintances informed him that the United States government had already contributed to the relief of 22 parties - 15 from Missouri, 4 from New York, and 3 from Texas.[142]

Other emigrants sought California through southern states and made use of Texas roads, developed partly by the military and partly by commercial interests to reach Cooke's Wagon Road via El Paso del Norte. The route west from San Antonio, Texas, to El Paso del Norte was initially located by Topographical Engineers under the direction of Brevet Lieutenant Colonel Joseph Eccleston Johnston. In the summer of 1849, a wagon road was constructed along the route, and it was immediately put to heavy use. It later became one of the major links in the way west for the overland mail, cattle herds, and emigrants bound for New Mexico, Arizona, and California.[143]

It was over this road that a company including the Strentzel family passed in the early summer of 1849. Two Poles, John Theophil Strentzel and his brother Henry, had taken part in the ill-fated 1830 revolution against Russia. To avoid induction in the army, or some worse fate, they fled to America. On December 31, 1843, 30-year-old John married 22-year-old Louisiana Erwin in Fannin County, Texas. With their two very small children (two-year-old Louisa and baby John), they started toward California by wagon on March 22, 1849, where John intended to resume his medical practice. The family would arrive at San Diego Mission on November 29, and here Louisiana would write a long letter to her family describing the journey. On the way to El Paso del Norte, the wagon train suffered only one minor Indian attack, in which they temporarily lost seven horses. The train must have been relatively large, because Louisiana noted that a company of 60 men pursued the Indians, and surely they would not have left the women and children unprotected in the event the initial raid were only diversionary. They reached El Paso del Norte on July 1 and remained there 12 days.[144]

At that time of year, they were able to purchase fruit of all kinds and fresh vegetables and even flour, but there was no bacon and little beef or mutton available, and that was of inferior quality. Louisiana noted that every day brought more emigrants to the Pass of the North. Their train divided at this point, and some of the people left their wagons and proceeded on with pack mules. The group with whom the Strentzels remained left on July 13, 1849, and proceeded slowly up the river, letting their stock graze on the plentiful grass.

Eighty miles above El Paso del Norte, they crossed the river by taking their wagon apart and floating it across to the west bank using a canoe and some empty kegs. By July 28 they had traveled 20 miles west and intersected Cooke's Wagon Road. Louisiana noted that hundreds of wagons had used the road already and that the trail was very plain. However, it was only at Tucson and the Pima Indian villages that the Strentzels were able to find abundant supplies.[145] Not everyone, especially later, was so fortunate.

The emigrants following the southern route placed an additional stress on the Southwestern economy. An economy that produced an amount of staples barely sufficient for its own needs. Therefore, supplies were usually scarce and the prices frequently high. Sometimes more favorable terms could be had by bartering. One man traded an old sword for 350 fine onions near El Paso del Norte and reported that powder, caps, or other such material would "purchase considerable."[146] Between El Paso del Norte and the Yuma crossing, the only places that were reasonably dependable for supplies were the army establishments at Dona Ana and Tucson and the Pima Indian villages.

Farther along the route, the train met a company of Mexicans returning from the gold mines, and their description of the hardships ahead prompted the Strentzels and others to leave behind many of their

heavier articles. Before reaching the Gila junction with the Colorado on October 15, 1849, they learned of ex-President James Polk's death. He had been dead for five months, but it took that long for the news to reach the wagon train.

Louisiana commented that the first emigrants had reached the Colorado about the middle of August and had formed a continuous stream since. The Strentzels were still waiting to cross when Captain Thorn was drowned in the boating accident, and they finally crossed the river on October 19. Despite the hardships suffered by the Strentzels and the other emigrants on the southern route, Louisiana recorded that the parties who came "the other [overland] route" suffered even more.[147]

The Strentzels eventually settled in Canada del Hambre, or Hungry Valley (so named by starving Spanish soldiers, led by Ygnacio Martinez, who were pursuing Indians), in northern California, but Louisiana did not like the name and changed it to Alhambra Valley. Here they established John's practice and became the first to grow oranges successfully so far north in California. Little John died when he was nine, but Louisa grew to maturity and later married John Muir, the naturalist.[148]

Cornelius C. Cox was another emigrant who went west by the southern route across Texas in 1849 to El Paso del Norte where his "Equal Rights" company dissolved. This was not uncommon, and many caravans reformed here for the balance of the trip west with remnants of other companies. Although he did not admit further contact, Cox reported seeing Sarah Bowman, "The Great Western." Sarah had used her nest-egg, accumulated from following the military campaign in Mexico, to establish a hotel near Coons' Rancho.[149]

Considering the date, July 12, on which Cox's new company departed El Paso del Norte, he must have been a day ahead of the Strenzels who, however, would pass his company enroute to the river crossing. On July 19, when Cox reached the Rio Grande crossing about 20 miles above Dona Ana, the river was swollen to 150 yards wide.

The Cox party completed crossing the Rio Grande on July 23, 1849, and continued 12 miles up the river to camp. Here another reorganization took place incorporating portions of other companies. Because of the slowness of the oxen, companions from Austin, who desired to travel faster, left Cox and the others. This act was not at all unusual. Charles Edward Pancoast, a young Quaker, and his friend were separated from the main party because of their refusal to travel on Sunday. A Howard party was dropped because the pregnant wife could not travel fast enough. Others, such as the tragic Oatman family, simply wished to proceed when the majority had decided to camp for a period because of stock conditions, supply problems, or inclement weather.[150]

The new company numbered about 60 men and was under a Mr. Shackelford as Captain and L. B. Harris as Orderly Sergeant and tarried seven days to let their stock forage. Cox had no objection. However, he did object to a request that he shave, made by Mrs. Wayland (nee Cox), who was denying any relationship to him unless he complied. And, on the last day before leaving the Rio Grande, he bragged about dining on roast venison, turtle soup, and rolled dumplings, followed the next morning by a breakfast of milk toast.[151]

The new Cox party reached Cooke's Spring on August 4. Cox described the Spring as "quite a different looking place" than he had imagined "considering its notoriety."[152] He recorded that it was situated in a low marshy place and that the water was bad. As many others had, he noted the lack of wood and complained about the grass being indifferent.[153] He did volunteer, however, that the road from the Rio Grande to Cooke's Spring was the finest he had seen.

Again Cooke's Spring was the site of a tragedy for one of the emigrants. While traveling north from El Paso del Norte, one of the mess groups, consisting of seven men, had been attacked during the night by a wolf that had bitten all but one before they managed to kill it. Naturally it was suspected of being mad, but the outcome of the incident was not reported. In the immediately subsequent reorganization, two of the men had joined the same party as Cox. One of the men, a young Englishman identified only as Lockett, sustained a fever for three days and on the morning of August 4, at Cooke's Spring, was displaying symptoms of hydrophobia. At midafternoon, two days later, he remained beside the trail beneath a simple cross as Cox and the rest moved on.[154]

During the spring and summer of 1849, many groups formed in the east to seek passage to the California gold fields. One such group formed in New York was called the Fremont Association and

was eventually to be led by Colonel John Coffee "Jack" Hays, a former Texas Ranger. Two members of the 47-strong association were 19-year-old Robert Eccleston and his brother Edward. They sailed from New York on April 3, 1849, for Port Lavaca, Texas, on the *Benjamin R. Milan*, with an intervening stop at Galveston. The cost for the ship passage and guide service was $180 for each member.[155]

Their overland journey started on the Texas gulf coast. Here they purchased oxen for their wagons and riding stock and set out for San Antonio. They arrived in the Texas hub city on June 8 and had intended to travel west from San Antonio to El Paso in the company of Major Van Horne and his troops but found that the military had pulled out five days earlier. Even after delaying more than a week before moving on, they managed to catch up to the slow moving column and travel under its protection arriving in El Paso del Norte on September 26, 1849, where the unseasonably heavy rains had flooded the streets to a depth of one-half to one foot.

The next leg of the Fremont Association's journey, from El Paso del Norte to the river crossing at San Diego, was quite eventful. They encountered difficult going because of the continuing rains which rendered the road almost impassable even for mounted men. They passed another train, J. R. Shipman's small Pine Bluff outfit, composed of 18 men and 4 ox-teams from the Red River country of east Texas. The Pine Bluff men were all full or half-breed Cherokee Indians. They also encountered a large 40-wagon train from Independence, Missouri that had been on the road for five months.[156]

Between El Paso del Norte and Dona Ana the Freemonters combined forces with the Pine Bluff outfit and "Jack" Hays' much larger organization. On October 3 this large train camped at Dona Ana where Hays visited Captain Steen who was recovering from his bullet wound. Hays was considerably uncomfortable when he learned the details of Steen's encounter with "Apache Jack" Gordon and the Indians. Hays had met Gordon at Coons' store in Franklin and had hired him as a guide.[157]

After surmounting difficulties faced in crossing the Rio Grande at San Diego, the Fremont Association party camped for the night. They found a barrel stave nailed to a tree noting "LaGrange Company crossed here the 11th & 12th of July, 7 wagons & 43 men. 16 miles to Cooke's route;" the other side of the stave had the names [John] Murchison and James L. Smith inscribed.[158]

On Sunday, October 7, the train (now about 150 men strong) departed the Rio Grande and headed for Cooke's Spring. After breakfasting on rabbit, Eccleston drove his mess's wagon and, on the twisting road up to the mesa, it overturned. But only the wagon bows were broken as a result. Shortly thereafter they encountered a steep hill where it took 10 to 15 men with ropes to keep the wagons upright. Fortunately one of the other messes had waited for them. It began to rain again, however, and to add to their troubles, one pair of oxen had lost the ring and staple (an attachment mechanism) out of the yoke, and that team had to be removed from the hitch. Eccleston therefore decided to make camp for the night and await help the next day, the main camp being two miles farther on.

The balance of the way to Cooke's Spring went smoothly, but there was concern over a report that a party of Missourians with pack mules had engaged in a battle with Indians, killing or capturing 15 warriors. Eccleston had little to say about the spring area specifically; he was more interested in the potential Indian problems and missing oxen. He did note that the first two miles through Cooke's Canyon were hilly and stony and that there were two little fortifications (presumably built by Indians for defense) on the hills near their camp just north of some rugged mountains.

The Fremonters spotted some Indians west of the Mimbres River but were unable to get close enough to attempt communication. They later learned the reason when they encountered about 400 troops under General Jose Maria Elias. The Mexican military just previously had an engagement with the Apaches in which at least five (possibly nine) Indians and six Mexicans were killed.[159]

Hays previously had determined to seek a more direct wagon road to Tucson than Cooke's "Ox Bow" route. At Ojo la Vaca he led the train west, rather than south, and pioneered the trail that became the primary road for emigrants, cattle drives, and much later, the Overland Mail route. There was considerable concern about possible Apache attacks when traversing "Puerto del Dado" (Doubtful Canyon) but other than the temporary loss of some oxen, they had no difficulties. Indeed, Eccleston reported no direct confrontations with the Indians during his journey to California.[160]

Travelers' reports during this early migration period were nearly devoid of Indian problems west of the Rio Grande, and some indicated that they conducted trade with the Indians at various points along the route. In the vicinity of Cooke's Spring (in December 1849 or January 1850) a man identified only as [F. J.] Thibault had been out hunting alone when he encountered three mounted Apaches who were trailing a lost cow. After identifying Thibault as an American, one of the Indians took him back to camp riding double and, true to their promise, returned the following morning with mules and horses to trade.[161]

Subsequent to the Apaches' falling out with the Boundary Commission in 1851, however, Indian attacks proliferated. Despite this ominous situation, many emigrants continued using the southern trail to California rather than risk the alternative dangers of a more northern route. The soldier diarist at Fort Fillmore recorded that a Mormon Caravan passed the military installation on June 9, 1853, and on June 21 noted another emigrant train bound for "El Dorado." In the latter case the wagons were all pulled by cows, and the people were poorly clad and "still worse armed."[162]

Some of the people who went to California in the early 1850s did not stay very long. Benjamin Shacklett Dowell and his second wife Juana are excellent examples of this behavior. After fighting in the Mexican war and being imprisoned for eight months, Dowell returned to his native Kentucky. He wanted to move west but his first wife of nine years, the former Melvina Stith, refused so they agreed to a divorce. Dowell reached Franklin, Texas, in about 1850 and married Juana Marquez, a Tigua Indian, in 1852 or 1853.

The Dowells and a best friend, William M. Ford, left for California in early 1854. Their involvement in a local conflict, frequently called the Magoffin Salt War, may have led to their decision to seek their fortunes further west, at least temporarily. The Dowells and Ford journeyed west with one of the many trains headed for California, and settled in Los Angeles. However, following the birth of their first child, Mary, on October 31 (or 30), 1854, the Dowells and Ford decided to return to Franklin.

By May 1855 they reached Cooke's Spring and camped for the night. Juana placed baby Mary on a pallet beside the wagon while the adults ate breakfast. A hungry coyote snuck into the camp, snatched the baby by her clothing, and loped off. Dowell heard the baby cry out, grabbed his rifle, and with careful aim, killed the coyote. Juana quickly recovered the unharmed baby. When Dowell reached Franklin a few days later, he took a job managing a ranch for William T. Smith.[163]

Just as the emigrants faced hazards of the road for the expected gain of gold, fertile lands, or better markets for their services, the Texas cattlemen also looked to California for profit. Cattle had been introduced into the New World by Columbus in 1493, and the Spanish carried cattle to New Spain. The intermingling of Spanish and Anglo-American stock from Europe produced a lean, narrow-faced, long-horned creature ideally suited to survive in the arid Southwest. It was an animal that men would fight and die to possess and would become the temporary economic backbone of Texas – the Texas Longhorn.[164]

The journey through New Mexico Territory to California was hazardous for man and beast, with barren stretches without water and Indians lurking for a free meal. But, if the trek could be completed, the rewards at the other end were considerable. A steer worth $5 to $10 in Texas could be sold in California for $25 to $150, depending on the market at the time.[165] Tradition has it that the first cattle herd was driven to California from Washington County, Texas, in 1848. T. J. Trimmer supposedly took 500 head west by way of the Gila Trail and sold them for $100 apiece. News traveled fast, and when he returned to Texas in 1849, he met herd after herd on the trail.[166]

The trailing of livestock to California was not limited to beef cattle. The Fort Fillmore diarist recorded that on June 7, 1852, a large train of many cattle, horses, and mules passed on their way from Texas to California.[167] Furthermore, the trailing of livestock was not confined to the Texans. The stockmen of New Mexico also took early advantage of California's needs, but they drove mostly sheep. As Cooke had pointed out, the trail was well suited for these animals, and a few men could handle massive flocks.

Francois Xavier Aubry was one of the early Santa Fe entrepreneurs to exploit this market. He made two round trips to California from Santa Fe and on the return legs explored specifically for a better wagon and railroad route to connect New Mexico with the Pacific coast.[168] Aubry anticipated the

need for a railroad to the west coast and the survey the government would make to find a suitable route. He decided to explore for the best route and make some money and perhaps a little fame at the same time. He anticipated finding a good route along the 35th parallel but would take his sheep west by the southern route along the 32nd parallel.[169] Unfortunately, this search for a suitable railroad route would be the direct cause of Aubry's death.

Aubry left Santa Fe on the first of his journeys on November 16, 1852, taking along 10 large wagons, approximately 5,000 sheep, about 100 mules, and some horses.[170] He expected to return in the early spring with two or three of the wagons to explore for a railroad route by making side trips along the way. On this trip, however, he failed to bring any wagons back.

Aubry followed the Rio Grande south and then turned west through Cooke's Canyon. Twelve miles beyond the spring, he turned from the Mormon Road and continued due west to Tucson, saving about 10 days and 150 miles, where he rejoined Cooke's route.[171] At the San Bernardino Mormon settlements he sold 1,000 old and lame sheep for $8,000 and sold several broken-down mules for another $3,000. He continued on to San Francisco and disposed of the remaining sheep (having lost only 25 on the trip) for about $10 each.[172]

Aubry returned by way of the 35th parallel with 30 pack animals and 20 men, most of whom had gone west with him. He left San Francisco on June 26, 1853 and arrived in Santa Fe on September 14.[173] Aubry had sent word ahead to Santa Fe for some of his business acquaintances to start gathering another flock. Therefore little time was lost, and on October 10, 1853, he and the others started south with 50,000 sheep of which about one-third belonged to Aubry. In Albuquerque, sometime prior to October 21, they met Lieutenant Whipple who, at Galisteo (10 miles south of Santa Fe), had already conferred with Richard Hanson Weightman (an antagonist of Aubry's) regarding potential routes west. Whipple was conducting the railroad survey along the 35th parallel. Aubry touted the advantages of that route but cautioned Whipple against using the trail with a small party.[174]

After again crossing through Cooke's Spring, Aubry's party followed a new route slightly south of the one they had taken the previous year. They lost only 300 to 400 sheep and sold the rest in California for a "fair" price. The sheep market, however, was rapidly becoming saturated. Near the Pima villages, west of Tucson, they met Kit Carson, returning from selling sheep in California. Carson reported meeting about 100,000 sheep (including Aubry's) on the trail. By early July, Aubry was again on his way home, this time with 60 men, only 11 of whom had gone west with him. They reached Santa Fe on August 18, 1854, and kept Aubry's appointment with death, defending the 35th parallel route.[175]

On the afternoon of his return to Santa Fe, Aubry was killed in a saloon altercation. Weightman, now a practicing attorney, had edited an Albuquerque newspaper (*El Amigo del Pais*) and strongly advocated the 32nd parallel route for a railroad over the 35th parallel, which Aubry favored. Their friendly discussion deteriorated when Aubry accused Weightman of misrepresenting his reports regarding the attributes of the two routes. Weightman threw a drink in Aubry's face, whereupon the latter drew his five-shooter, but it discharged into the ceiling. Weightman's Bowie knife was not subject to such misfirings, and he stabbed Aubry in the abdomen. Within ten minutes, Aubry was dead. Weightman was indicted for murder and held for trial, but on September 21, 1854, he was acquitted on the grounds of self defense.[176]

In the meantime, the cattle herds continued to flow across the Southern Emigrant Route to California. In 1853 James Campbell drove his cattle from San Antonio to Warner's Ranch, near San Diego, in four months, and repeated the drive in 1854. This trail of 1,500 miles, established at the end of the Mexican War to supply the population explosion in California, was popular despite its dangers, but its rise and fall in popularity would span only about two decades.

In 1854, the peak year of cattle movement to California over the southern trail, Texan John James started a herd over the trail in June. Michael H. Erskine was also on the trail that year, starting from Sanders with over 1,000 head. He carried Campbell's "memo" from the previous year regarding the trail. One of James's hired drovers, 22-year-old James G. Bell, was using the work as a means to get to California to join his brother. Bell may have been a bit green for the drive, because he let his mule get away the first night out. He managed to recover his mount the following morning, however.[177] Bell may have had limited experience as a drover, but his

record of the journey is rich in descriptions of his observations along the way.

On June 29, 1854, the Erskine group, 40 miles in advance of the James's outfit, ran into trouble with Indians stealing three oxen. Fourteen of Erskine's men trailed the thieves to a Mescalero camp where they counterattacked and, after an hour's fight, took 12 head of riding stock from the Indians before retreating from a superior force.[178] The James drive had no such problem and arrived at Franklin on July 31, 12 days behind Erskine's herd.

Young Bell was lodged temporarily with a Dr. Giddings in San Elizario, probably because he had been slightly ill. Quite perceptively, he noted in his journal that, "This country is destined at some day to become of importance to the United States."[179] Erskine had stayed four days at Magoffin's ranch, at the latter's invitation, where wagons were repaired and preparations made for the next phase of the trail.[180]

On Sunday July 23, 1854, Erskine left Magoffin's ranch and proceeded up the Rio Grande Valley to Fort Thorn, camping near there on August 2. The crew and herd remained near the fort for two more days. This was sufficient to complete the repair of the wagons, pick up additional supplies and equipment, and have three drovers thrown in the military guardhouse for being drunk and refusing to work. The three men (identified only as Lockey, Maloney, and Pat) were left there, as Erskine refused to let them accompany him farther. However, he did hire 2 new hands at the fort making a total crew of 34.

Between the Rio Grande and the Mimbres River, Erskine found sufficient water for only the men and the working stock. The cattle herd had to go without water for three or four days several times between Texas and California. Erskine noted that they camped a mile west of Cooke's spring on August 7 and had "no chance to water the herd either at the Tanks [Foster's Hole], Mule Springs, or Cooks [sic] Spring."[181] The only reasonable explanation for not watering at Cooke's Spring is that other herds were already camped there, and the grass was insufficient for the Erskine outfit to remain long enough to water the herd.

In early August, Bell and the other drovers pushed the James cattle up the river from Franklin past Fort Fillmore where Mr. James got a list of the watering places ahead and the distances between them. The cattlemen continued on past Las Cruces to Fort Thorn and the town of Santa Barbara, after crossing the river about six miles south of there. On the way they were plagued by mosquitoes but, through a little petty thievery one night, managed to obtain some fresh onions, green corn, and several watermelons.[182]

They were also warned that a party ahead had murdered two Indian women, and the Apaches were preparing to attack every party that passed. On the day before reaching Cooke's Spring, an Indian visited the James cattle drive and ate with Mr. James. Young Bell thought the Indian was there to spy and see how prepared they were for defense.[183]

On Wednesday, August 16, 1854, "the finest day of the trip," the drive arrived at Cooke's Spring at noon.[184] Bell noted that although there was plenty of water, he would have called the spring a mud hole, which might have been the after-effect of the passage of the many cattle just ahead of them on the trail. They pulled out late that evening and drove through Cooke's Canyon, camping at dark without water.[185] They met a group of Mexican timber cutters the following day and were warned of two parties of Indians ahead.[186]

The James cattle drive reached the Mimbres River on August 17 only to find it dry (it had been flowing nine days earlier when the Erskine outfit crossed), and Bell called it the Rio Disappointment. The men did find a pool of standing water a quarter-mile upstream and watered the stock. So many tadpoles were in the water, however, that Bell said it was difficult to get a drink without swallowing several.

On August 20, 1854, just one day from the water at Ojo la Vaca, Bell noted that the Holliday train was only a few days behind them with 1,000 cattle, 50 men, 6 or 8 wagons, and 75 head of horses and mules.[187] Five herds, owned by Dunlap and Houston, the Fairchilds brothers, Buck and Bryant, Major Erskine, and Franklin, were ahead of the James party. Starting on August 25, the parties ahead of the James outfit had a series of confrontations with a band of Apaches.[188]

Between 15 and 20 Apaches attacked the Dunlap and Houston outfit, killing Houston on August 25, and stealing 20 or more head of his and Dunlap's horses. At about the same time, one of the Fairchilds was killed in a raid that took their entire cattle herd, and their wagons were sacked. The Buck and Bryant outfit lost 140 head. Erskine, having received the warning from the others, gathered some of the

men from the various outfits and on September 5 attacked a band of about 40 Indians, killing all but nine. They "recovered" 65 head of stock only to discover that these Indians had been returning from Mexico and were innocent of the raids. However, the Texans kept the stock anyway. Neither Bell nor Erskine made any mention of trouble for the Franklin party, and the James outfit had no engagement with the Indians but had lost approximately 100 cattle thus far to other causes.[189]

A few nights later, camped only four miles behind Erskine, Bell and others calculated that the value of the losses for 1854 alone would amount to over $100,000 and that three-fourths of the cattle and other stolen property were in the hands of the Indians. Indeed, even the "friendly" Pima Indians stole from the cattle drives. Erskine gave many presents of steel needles and strong thread only to learn later that the entire box of over 1,000 needles and nearly every knife in camp had been stolen.

The Indians were not the only source of monetary drain on the cattlemen driving between Texas and California. After failing to lure his cattle across the Colorado River with a "decoy" ox, James paid $850 to have the herd ferried over.[190]

The decline of the cattle market continued, and by 1855 the California price for Texas cattle had dropped to $6 to $7 a head. There would continue to be a few drives, however, until the outbreak of the Civil War, and after the war was over there was a brief revival of the trade.[191] It is also interesting to note that in later years there was a kind of reverse flow of cattle along the trail, with Arizona cattlemen driving east to El Paso and thence along a branch of the Goodnight-Loving Trail.[192]

Despite the thousands of emigrant wagons and hundreds of livestock herds that had traveled part or all of Cooke's Wagon Road to California, the passage remained demanding and dangerous, existent water supplies were frequently inadequate or unreliable, and the distance was unnecessarily long. Most Congressional members recognized the need for improvement, and California representatives and citizens demanded it. If the young California state, admitted to the Union on September 9, 1850, was to remain an equal partner in the Republic, major improvements in land transportation routes and mail service were imperative.

Endnotes - Chapter 3

1. Odie B. Faulk, *Too Far North ... Too Far South* (Los Angeles: Westernlore Press, 1967), pp. 5, 11 (hereafter cited as Faulk, *Too Far North*).

2. *Ibid.*, pp. 5-11. Unfortunately, and through no fault of his, it proved to be not so easy to get Gray to the scene of the action. Gray fell seriously ill and was unable to fulfill his duties for several months.

3. *Ibid.*, pp. 14-18.

4. *Ibid.*, pp. 25-32. Weller's eventual successor, John Russell Bartlett, attributed Fremont's resignation to his election as a Senator from California.

5. Robert Marshall Utley, *The International Boundary; United States and Mexico - A History of Frontier Dispute and Cooperation, 1848-1963* (Santa Fe: United States Department of the Interior National Park Service, 1964), p. 8. Utley described Bartlett as a scholarly New England book dealer and publisher specializing in travel books and that travel would also be Bartlett's specialty in the Southwest rather than surveying.

6. Faulk, *Too Far North*, pp. 43-47.

7. Archie P. McDonald and Carl L. Davis, "The War with Mexico," *The American West*, edited by William D. Rowley (St. Louis: The Forum Press, 1980), p. 12.

8. Faulk, *Too Far North*, p. 50.

9. John Russell Bartlett, *Personal Narrative of Explorations and Incidents in Texas, New Mexico, California, Sonora, and Chihuahua Connected with the United States and Mexican Boundary Commission, During the Years 1850, '51, '52, and '53* (Chicago: The Rio Grande Press, Inc., 1965) Vol. 1, p. 146 (hereafter cited as Bartlett, *Personal Narrative*).

10. The style of metal work is still practiced in Ciudad Juarez, Mexico, formerly El Paso del Norte.

11. Bartlett, *Personal Narrative*, Vol. 1, pp. 166-168.

12. *Ibid.*, pp. 192-193; Ralph Paul Bieber (ed.), *Exploring Southwestern Trails, 1846-1854*, Vol. 7 (Glendale: The Arthur H. Clark Company, 1938), p. 309 (hereafter cited as Bieber, *Southwestern Trails*); Leon Claire Metz, *Fort Bliss: An Illustrated History* (El Paso: Mangan Books, 1981), p. 11-12 (hereafter cited as Metz, *Fort Bliss*).

13. Hart would figure conspicuously in El Paso politics in later years.

14. Bartlett, *Personal Narrative*, Vol. 1, p. 151.

15. Faulk, *Too Far North*, p. 58. Here Faulk gets confused in either his measurements or his mathematics and states "forty-four miles" and "well over a hundred."

16. Faulk, *Too Far North*, pp. 58-62.

17. It is perhaps too easy to fault Bartlett at this point, even though he mentions that he had considered initiating the river surveys but decided not to. He had not received any communication regarding the reason for the long delay of Gray and Major James Duncan Graham (who had replaced Captain John McClellen as Chief Astronomer) or when to expect them.

18. To the author's knowledge, this fact and argument against the Commissioners' decision have not been noted previously. The Gila heads on the uppermost reaches of the west side of the continental divide, which in this area is at approximately 108 degrees west longitude.

19. P. M. Baldwin, "A Short History of the Mesilla Valley," *New Mexico Historical Review*, Vol. 13 (July, 1938), pp. 316-320 (hereafter cited as Baldwin, "Short History"). The first permanent settlement in the Mesilla Valley was established in 1843 as the Dona Ana Bend Colony, organized by Don Jose Maria Costales, who had obtained the grant in 1839. The site was initially settled by 261 men, women, and children, but many left in 1844 because of Indian attacks.

20. As recorded in Robert Walter Frazer, *Forts of the West* (Norman: University of Oklahoma Press, 1965), p. 98, Craig was brutally murdered on June 6, 1852, while trying to persuade two Fort Yuma army deserters to surrender.

21. Bartlett, *Personal Narrative*, Vol. 1, p. 154.

22. John Carey Cremony, *Life Among the Apaches* (Tucson: Arizona Silhouettes, 1951), p. 23 (hereafter cited as Cremony, *Apaches*).

23. Bartlett, *Personal Narrative*, Vol. 1, pp. 169, 178, 197.

24. *Ibid.*, pp. 205-206.

25. *Ibid.*, pp. 214-219.

26. Today these milk-colored volcanic fragments, also noted in November 1846 by Cooke, are still in

evidence.

27. *Ibid.*, p. 220.

28. *Ibid.*, p. 235. Probably at present-day City of Rocks state park.

29. *Ibid.*, pp. 226-227. White, though unidentified by Bartlett, may have been William James Hamilton White.

30. *Ibid.*, pp. 303-318; Cremony, *Apaches*, pp. 61-66. Cremony claimed that it was he who had the sharp words with Ponce while fulfilling his duties as interpreter.

31. Bartlett, *Personal Narrative*, Vol. 1, pp. 319-320.

32. Cremony, *Apaches*, p. 52.

33. Bartlett, *Personal Narrative*, Vol. 1, p. 321. Bartlett described the range of the Copper Mine (Mimbres) Apaches as the country on both sides of the Rio Grande and on the west up to about the San Francisco River. He believed that their numbers had decreased greatly in the last 5 years and that they probably could not muster 200 warriors.

34. *Ibid.*, p. 330.

35. *Ibid.*, pp. 331-339; Cremony, *Apaches*, pp. 67-71.

36. Faulk, *Too Far North*, pp. 70-71.

37. Bartlett, *Personal Narrative*, Vol. 1, p. 341.

38. Faulk, *Too Far North*, pp. 73-77.

39. Odie B. Faulk, "The Controversial Boundary Survey and the Gadsden Purchase," *Arizona and the West*, Vol. 4 (Autumn, 1962), p. 216 (hereafter cited as Faulk, "Boundary Survey").

40. Paul Iselin Wellman, *The Indian Wars of the West* (Garden City: Doubleday & Doubleday, Inc., 1947), p. 286. In Bartlett, *Personal Narrative*, Vol. 1, p. 352., the author mentions a Mr. Hay, who was with a small party, as being engaged in working the gold mines nearby.

41. Faulk, *Too Far North*, pp. 74-76.

42. Bartlett, *Personal Narrative*, Vol. 1. pp. 346-353; Cremony, *Apaches*, pp. 81-84.

43. Bartlett, *Personal Narrative*, Vol. 1, pp. 350, 354.

44. Faulk, *Too Far North*, pp. 81-94.

45. William Weber Johnson, *The Forty-Niners* (New York: Time-Life Books, 1974), p. 23; Cremony, *Apaches*, p. 129. Sutter had established New Helvetia at the confluence of the Sacramento and American Rivers on part of the 50,000 acres Juan Bautista Alvarado, Mexican Governor of California, had granted Sutter in return for Sutter's becoming a Mexican citizen. Everyone else called the installation Sutter's Fort.

46. Bartlett, *Personal Narrative*, Vol. 2, pp. 71-107.

47. *Ibid.*, pp. 259, 378.

48. Faulk, "Boundary Survey," p. 216.

49. *Ibid.*, pp. 220-221. In the House the effort was led by Volney E. Howard and in the Senate by Thomas Jefferson Rusk who had fought beside Sam Houston at San Jacinto.

50. Faulk, *Too Far North*, pp. 103-107, 160.

51. Faulk, "Boundary Survey," p. 222.

52. Faulk, "Boundary Survey," p. 119; George Griggs, *History of Mesilla Valley or the Gadsden Purchase, Known in Mexico as the Treaty of Mesilla* (Mesilla, New Mexico: Privately Printed, 1930), p. 56 (hereafter cited as Griggs, *Mesilla Valley*). Faulk states that Trias had sent 500 Mexican soldiers with 6 to 8 pieces of artillery to Mesilla but had to withdraw them for lack of funds.

53. Faulk, *Too Far North*, pp. 121-124.

54. Nona Barrick and Mary Taylor, *The Mesilla Guard, 1851-61* (El Paso: Texas Western Press, 1976), p. 17 (hereafter cited as Barrick and Taylor, *Mesilla Guard*); Larry Durwood Ball, *The United States Marshals of New Mexico and Arizona Territories, 1846-1912* (Albuquerque: University of New Mexico Press,1978), p. 27. According to Baldwin, "Short History", p. 320, at that time the river was between Mesilla and Las Cruces but changed its course during a flood in 1862, and in 1865 it carved a new permanent channel west of Mesilla.

55. Paul Neff Garber, *The Gadsden Treaty* (Gloucester, Massachusetts: Peter Smith, 1959), p. 81 (hereafter cited as Garber, *Gadsden Treaty*).

56. *Ibid.*, p. 184.

57. Faulk, *Too Far North*, pp. 128-132.

58. Faulk, "Boundary Survey," p. 224.

59. Faulk, *Too Far North*, p. 139.

60. *Ibid.*, p. 133.

61. Garber, *Gadsden Treaty*, p. 184, noted that a boundary relocation was necessary in 1882. In recent years, the boundary was modified between El Paso and Ciudad Juarez in the settlement of the Chamizal Strip necessitated when the Rio Grande changed its course and had to be rechanneled.

62. Faulk, *Too Far North*, p. 137.

63. Garber, *Gadsden Treaty*, p. 185.

64. Faulk, *Too Far North*, p. 145.

65. Garber, *Gadsden Treaty*, pp. 156-157; Griggs, *Mesilla Valley*, p. 51.

66. Faulk, *Too Far North*, p. 149.

67. George Leslie Albright, *Official Explorations for Pacific Railroads, 1835-1855* (Berkeley: University of California Press, 1921), p. 9 (hereafter cited as Albright, *Pacific Railroads*); William Turrentine Jackson, *Wagon Roads West: A Study of Federal Road Surveys and Construction in the Trans- Mississippi West, 1846-1869* (New Haven, Yale University Press, 1965), p. 321 (hereafter cited as Jackson, *Wagon Roads West*).

68. Lynn Irwin Perrigo, *The American Southwest, Its Peoples and Cultures* (New York: Holt, Rinehart and Winston, 1971), p. 187 (hereafter cited as Perrigo, *American Southwest*); Odie B. Faulk, *Destiny Road* (New York: Oxford University Press, 1973), p. 87 (hereafter cited as Faulk, *Destiny Road*).

69. Bieber, *Southwestern Trails*, pp. 371-377.

70. Albright, *Pacific Railroads*, p. 9. Frontera, initially settled by T. Frank White in 1848, was probably near present-day Sunland Park and should not be confused with the northern Mexico town of Fronteras.

71. *Ibid.*, p. 120.

72. Jack Lee Cross, "Wagon Roads Across New Mexico, 1846-1860," *Password*, Vol. 7 (Winter, 1962), p. 23 (hereafter cited as Cross, "Wagon Roads"); Griggs, *Mesilla Valley*, p. 60.

73. Albright, *Pacific Railroads*, p. 121. On April 18, 1854, perhaps as a result of his efforts, Parke's Brevet rank was made permanent.

74. *Ibid.*, pp. 129-132.

75. John Philip Wilson, *Historical Profile of Southwestern New Mexico*, Report No. 21 (Las Cruces: New Mexico State University, 1975), p. 24 (hereafter cited as Wilson, *Historical Profile*).

76. Jackson, *Wagon Roads West*, p. 322.

77. Albright, *Pacific Railroads*, p. 122.

78. William H. Goetzmann, *Army Exploration in the American West, 1803-1863* (New Haven: Yale University Press, 1959), pp. 290-291.

79. Cross, "Wagon Roads," p. 24.

80. *Ibid.*, p. 24. Yes, the road would be of great military advantage regardless of the color of the uniform of its users, blue or gray.

81. Jackson, *Wagon Roads West*, p. 323.

82. *Ibid.*, p. 161.

83. *Ibid.*, pp. 161-171.

84. Averam Burton Bender, "A Study of Mescalero Apache Indians, 1846-1880," *American Indian Ethnohistory; Indians of the Southwest*, Vol. 11, edited and compiled by David Agee Horr (New York: Garland Publishing, Inc., 1974), p. 12 (hereafter cited as Bender, "Mescalero Apaches"); Veronica E. Velarde Tiller, *The Jicarilla Apache Tribe: A History, 1846-1970* (Lincoln: University of Nebraska Press, 1983), p. 36 (hereafter cited as Tiller, *Jicarilla Apache*).

85. James Truslow Adams (ed.), *Dictionary of American History* (New York: Charles Scribner's Sons, 1940), p. 117.

86. See Endnote 46, Chapter 2.

87. Prior to the 1860s, "breech-loading" or "cartridge" did not designate a fixed metallic-round weapon. Many early gunpowder arms were adapted to use a linen or paper wrapped package of powder that frequently incorporated the ball or projectile as an integral part of the cartridge.

88. Randy Steffen, *The Revolution, the War of 1812, the Early Frontier, 1776-1850*, Vol. 1 of *The Horse Soldier: 1776-1943* (Norman: University of Oklahoma Press, 1979), p. 134.

89. William E. Coffer, *Sipapu* (New York: Van Nostrand Reinhold Company, 1982), p. 58.

90. Ralph Hedrick Ogle, "Federal Control of the Western Apaches, 1848-1886," *New Mexico Historical Review*, Vol. 14 (Oct., 1939), p. 309 (hereafter cited as Ogle, "Western Apaches").

91. *Ibid.*, pp. 328-329.

92. *Ibid.*, p. 323. Despite what Geronimo would tell General Miles in later years, the Apaches understood the use of signal mirrors well and fully realized the purpose behind the military heliograph system.

93. Donald Chaput, *Francois X. Aubry: Trader, Trailmaker and Voyageur in the Southwest, 1846-1854* (Glendale: The Arthur H. Clark Company, 1975), pp. 83-86 (hereafter cited as Chaput, *Aubry*).

94. James A. Bennett, *Forts and Forays; James A. Bennett: Dragoon in New Mexico, 1850-1856*, edited by Clinton E. Brooks and Frank D. Reeve (Albuquerque: University of New Mexico Press, 1948), p. 25 (hereafter cited as Bennett, *Forts and Forays*); Grant Foreman (ed.), *A Pathfinder in the Southwest, the Itinerary of Lieutenant A. W. Whipple During His Explorations for a Railway Route from Fort Smith to Los Angeles in the Years 1853 & 1854* (Norman: University of Oklahoma Press, 1941), p. 11 (hereafter cited as Foreman, *Whipple*).

95. Richard Dunlop, *Great Trails of the West* (Nashville: Abingdon Press, 1971), p. 222.

96. Dan L. Thrapp, *Victorio and the Mimbres*

best copy available

Apaches (Norman: University of Oklahoma Press, 1974), p. 19 (hereafter cited as Thrapp, *Victorio*).

97. Wayne R. Austerman, "'Apache Jack' Gordon: Desperado of the Pass," *Password* Vol. 33 (Summer, 1988), p. 56 (hereafter cited as Austerman, "Desperado"); Wayne R. Austerman, "A Postscript on 'Apache Jack' Gordon," *Password* Vol. 34 (Spring, 1989), p. 41.

98. Bender, "Mescalero Apaches," p. 14. Unfortunately this source neglected to report the outcome of the expedition, nor could a substantiating reference be located. In all probability though, the "Mexican Dragoons" were local militia from Mesilla and/or Dona Ana.

99. Lee Myers, "Military Establishments in Southwestern New Mexico: Stepping Stones to Settlement," *New Mexico Historical Review* Vol. 43 (Jan., 1968), pp. 6-7 (hereafter cited as Myers, "Military Establishments"); Ogle, "Western Apaches," Vol. 14, pp. 339-341. The installation was occupied on January 23, 1852, by Steen's Company K, Third United States Infantry and was named in honor of Massachusetts Senator Daniel Webster.

100. Ogle, "Western Apaches," Vol. 14, p. 344.

101. Dale F. Giese, *Echoes of the Bugle* (no publisher location): Phelps Dodge Corporation, 1976), p. 48 (hereafter cited as Giese, *Echoes*); Metz, *Fort Bliss* pp. 20-21.

102. Thrapp, *Victorio*, p. 27.

103. Bender, "Mescalero Apaches," p. 22.

104. Ogle, "Western Apaches," Vol. 14, p. 342.

105. Barrick and Taylor, *Mesilla Guard*, p. 10.

106. Tiller, *Jicarilla Apache*, p. 54.

107. Ogle, "Western Apaches," Vol. 14, p. 343.

108. Thrapp, *Victorio*, p. 27.

109. Griggs, *Mesilla Valley*, pp. 58-59; Myers, "Military Establishments," p. 7. On September 9, 1852, Fort Webster was moved, complete with name, to a little west of present-day San Lorenzo, approximately at the junction of New Mexico State Roads 61 and 90.

110. Griggs, *Mesilla Valley*, p. 59.

111. *Ibid.*, pp. 59-60.

112. Grant Foreman, *Marcy & the Gold Seekers: The Journal of Captain R. B. Marcy, with an Account of the Gold Rush Over the Southern Route* (Norman, University of Oklahoma Press, 1939), p. 315. Stanley Crocchiola, *The Fort Thorn New Mexico Story* (Pep, Texas: Private Publication, 1965), p. 8. According to Lewis B. Harris in Mabelle Eppard Martin (ed.), "From Texas to California in 1849: Diary of C. C. Cox," *The Southwestern Historical Quarterly*, Vol. 29 (Jan., 1926), p. 221 (hereafter cited as Martin, "C. C. Cox"), Cox, using the association's boat, had saved one man from drowning in the Colorado River. If they had remained there only a few hours longer they might have saved Thorn. Major Steen, the first commander of Fort Thorn was a native of Kentucky and not a graduate of West Point. He had been closely associated with Herman Thorn and may have been instrumental in naming the fort.

113. Bennett, *Forts and Forays*, p. 59.

114. Robert Marshall Utley, *Frontiersmen in Blue: The United States Army and the Indian, 1848-1865* (New York: The Macmillan Company, 1967), pp. 143-144 (hereafter cited as Utley, *Frontiersmen*).

115. Barrick and Taylor, *Mesilla Guard*, p. 19.

116. Thrapp, *Victorio*, p. 42.

117. James G. Bell, "A Log of the Texas-California Cattle Trail, 1854," *The Southwestern Historical Quarterly*, Vol. 35 (Apr., 1932), p. 294 (hereafter cited as Bell, "Cattle Trail").

118. Thrapp, *Victorio*, p. 43; Giese, *Echoes*, p. 47. This treaty also failed ratification.

119. Utley, *Frontiersmen*, pp. 153-154.

120. Benjamin H. Sacks, "The Origins of Fort Buchanan, Myth and Fact," *Arizona and the West*, Vol. 7 (Autumn, 1965), pp. 209-211 (hereafter cited as Sacks, "Fort Buchanan". Sacks claims that the traditional date of March 10, for the removal of the Mexican garrison, is incorrect and that the evacuation had been accomplished earlier.

121. Robert Walter Frazer, *Forts and Supplies, the Role of the Army in the Economy of the Southwest, 1846-1861* (Albuquerque: University of New Mexico Press, 1983), pp. 123-125 (hereafter cited as Frazer, *Forts and Supplies*); Sacks, "Fort Buchanan," pp. 210, 216-218. Somehow along the way, a pass and peak were bequeathed Steen's name albeit misspelled as Stein. Historians and map makers have not yet seen fit to make the correction as was accomplished in Cooke's case.

122. Utley, *Frontiersmen*, p. 155.

123. Frazer, *Forts and Supplies*, p. 110.

124. Wilson, *Historical Profile*, p. 44.

125. Perrigo, *American Southwest*, p. 180; Oscar Osborn Winther, *Via Western Express & Stagecoach* (Lincoln: University of Nebraska Press, 1968), p. 3; Donald Dale Jackson, *Gold Dust* (New York: Alfred A. Knopf, 1980), pp. 88- 92. Shortly after docking,

the entire crew of the *California*, except for the Captain and one other officer, deserted for the gold fields.

126. Faulk, *Destiny Road*, p. 64.

127. Perrigo, *American Southwest*, p. 181.

128. Wilson, *Historical Profile*, p. 17.

129. See Appendix B for Hayes' extensive list of his supplies and equipment for the trip.

130. Marjorie Tisdale Wolcott (ed.), *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Marjorie Tisdale Wolcott, 1929), pp. 13-14 (hereafter cited as Wolcott, "Hayes").

131. *Ibid.*, pp. 16-22.

132. *Ibid.*, p. 25.

133. *Ibid.*, p. 32.

134. *Ibid.*, pp. 33-34. Hayes either left out some names or was inconsistent because he also noted that his company was 77 strong with 168 animals and that the "Chicago company of wagons was also with us."

135. A group that ate together and shared camp chores was referred to as a mess.

136. *Ibid.*, pp. 35-38. The comment about the heat of the day is curious in light of the fact that a few days later, on Sunday, November 18, water froze in the containers.

137. *Ibid.*, p. 39. The Hayes company found Foster's Hole that day, so it was still in use at that time.

138. This would indicate that previous parties had been digging for better and clearer water.

139. *Ibid.*, p. 40. There is now a marker at this site, about 300 yards west of the spring.

140. *Ibid.*, p. 45. It cost them $2 for each mule or horse and $1 for each person carried across the river.

141. Much to his surprise, Hayes found that one member of the Mexican Boundary Commission was a Senor Iturbide with whom he had attended Saint Mary's College.

142. *Ibid.*, p. 46. No mention was made of the Sonoran parties. Actually, many of the parties were from other eastern locations and had only assembled in Missouri. At no time on their entire trip west was the Hayes party attacked by Indians. Perhaps this was because the Apaches had not yet been insulted by Commissioner Bartlett's actions or sufficiently annoyed by the miners.

143. Bieber, *Southwestern Trails*, p. 36.

144. Kenneth L. Holmes (ed.), *Covered Wagon Women Diaries & Letters from the Western Trails, 1840-1890*, Vol. 1 (Glendale: The Arthur H. Clark Company, 1983), p. 251 (hereafter cited as Holmes, *Covered Wagon Women*).

145. *Ibid.*, pp. 251-254.

146. Frazer, *Forts and Supplies*, pp. 34-35.

147. Holmes, *Covered Wagon Women*, pp. 254, 267.

148. *Ibid.*, p. 247. Douglas Sloane Walker, *West Wind: The Life Story of Joseph Reddeford Walker* (Morongo Valley, California: The Sagebrush Press, 1984), p. 109.

149. Martin, "C. C. Cox," pp. 132-134; Nancy Hamilton, "The Great Western," *The Women Who Made the West* (Garden City: Doubleday & Company, Inc., 1980), pp. 192-193. In addition to several other married names, Sarah was also known as Boginnis, Borginnis, Bourget, Bourdette, Bourjette, or Bouget.

150. Douglas De Veny Martin, *Yuma Crossing* (Albuquerque: The University of New Mexico Press, 1954), pp. 133, 159-160.

151. Martin, "C. C. Cox", pp. 133-134.

152. *Ibid.*, p. 134.

153. *Ibid.*, p. 135. This may have been by comparison because, as Louisiana Strentzel had observed, the grass along the river was excellent, and in addition, the grass nearby the only significant water around would naturally suffer most.

154. *Ibid.*, p. 136.

155. Robert Eccleston, *Overland to California on the Southwestern Trail, 1849*, edited by George P. Hammond and Edward H. Howes (Berkeley: University of California Press, 1950), p. 3 (hereafter cited as Eccleston, *Overland*).

156. *Ibid.*, pp. 150-163.

157. Austerman, "Desperado," p. 57; James Kimmins Greer, *Colonel Jack Hays: Texas Frontier Leader and California Builder* (College Station: Texas A&M University Press, 1987), p. 241 (hereafter cited as Greer, *Hays*). For simplification, the combined train will continue to be called the Fremont Association.

158. Eccleston, *Overland*, p. 164. For a narrative of the La Grange Company, see Carlo M. De Ferrari (ed.), "The Journal of the La Grange Company, being the Record of a Journey from Texas to California in 1849," *The [Tuolumne County, California] Quarterly*, Vol. 6 (1966-1967) and Vol. 7 (1967-1968). Unfortunately John Murchison, the first of three journalists for the association, died of an accidental self-inflicted gunshot July 28 (or 27), 1849. The

portion of the combined journal for the passage through Cooke's Canyon is missing.

159. Eccleston, *Overland*, pp. 164-172; Greer, *Hays*, p. 243. The issue of the fortifications will become important in a later analysis of a Cooke's Canyon tragedy, the Freeman Thomas massacre.

160. Eccleston, *Overland*, p. 176; Austerman, "Desperado," pp. 56-60; Greer, *Hays*, pp. 246-249. Hays also encountered Carrasco of the Mexican Boundary Commission, a former adversary, at the crossing of the Colorado River.

161. Ralph Paul Bieber (ed.), *Exploring Southwestern Trails, 1846-1854*, Vol. 5 (Glendale: The Arthur H. Clark Company, 1937), pp. 317-318. The author, identified only as A. M. W., was Alden M. Woodruff, the 19-year-old son of the editor of the *Arkansas Gazette*. He also named three other companies (Davis, Clarksville, and Lincoln) traveling within a day's journey of his. There may be a question on the identity of Thibault, because Robert Brownlee, *An American Odyssey*, Edited by Patricia A. Etter (Fayetteville: The University of Arkansas Press, 1986), pp. 55, 62, obviously knew Thebolt [Thibault] but referred to the "adventurer" only as "one of our men."

162. Griggs, *Mesilla Valley*, p. 58. The Mormon train encamped at Cooke's Spring was identified as a different one than observed on June 9.

163. Nancy Miller Hamilton, *Ben Dowell: El Paso's First Mayor* (El Paso: Texas Western Press, 1976), pp. 6-16.

164. Joseph G. Rosa, *The Gunfighter, Man or Myth* (Norman: University of Oklahoma Press, 1974), p. 66.

165. Perrigo, *American Southwest*, p. 269.

166. Bell, "Cattle Trail", Vol. 35 (Jan., 1932), p. 209.

167. Griggs, *Mesilla Valley*, p. 58.

168. Bieber, *Southwestern Trails*, p. 53.

169. Chaput, *Aubry*, pp. 116-120. According to John O. Baxter, *Las Cameradas: Sheep Trade in New Mexico, 1700-1860* (Albuquerque: University of New Mexico Press, 1987), pp. 119-122, (hereafter cited as Baxter, *Cameradas*). Aubry was not the first to drive sheep herds to California. Earlier drives, however, used routes other than through Cooke's Canyon. In the Spring of 1852 Richens Lucy "Uncle Dick" Wooten partnered with Jesse B. Turley to assemble 9,000 woolies for a drive over the later infamous Donner Pass. They were soon followed by another group, led by Benjamin Franklin Coons by way of Janos, Mexico, with 14,000 animals. Other early entrepreneurs included Antonio Jose Luna, his brother Ambrosio, and future New Mexico Governor Miguel Antonio Otero.

170. Chaput, *Aubry*, p. 118; Bieber, *Southwestern Trails*, p. 54; Baxter, *Cameradas*, p. 123. Chaput claimed the sheep numbered 3,500.

171. Bieber, *Southwestern Trails*, p. 54.

172. *Ibid.*, p. 377; Chaput, *Aubry*, p. 120. Don Ambrosio Armijo, who followed Aubry by a few months, did not fare so well; he lost about 1100 sheep in the sand hills west of the Colorado crossing.

173. Bieber, *Southwestern Trails*, p. 54. Chaput, *Aubry*, p. 123 claims 18 men and a departure date of July 11, 1853. The disagreement over numbers and dates may indicate that the two authors were referring to different points of departure and that two men left the party between the first and second dates.

174. Chaput, *Aubry*, pp. 140-142; Foreman, *Whipple*, pp. 106-107, 114. Whipple's journal reflects a slightly different interpretation in that Aubry was "cautioning us to avoid his trail as being unsuitable for our operations."

175. Chaput, *Aubry*, pp. 140-148; Baxter, *Cameradas*, p. 126.

176. Bieber, *Southwestern Trails*, pp. 59-61.

177. Bell, "Cattle Trail", Vol. 35 (Jan., 1932), pp. 209-210.

178. *Ibid.*, pp. 225, 231; Walter S. Sanderson (ed.), "A Cattle Drive from Texas to California: The Diary of M. H. Erskine, 1854," *The Southwestern Historical Quarterly*, Vol. 67 (Jan., 1964), p. 403 (hereafter cited as Sanderson, "A Cattle Drive"). By this time, through repeated stampedes, Erskine's trail herd had been reduced to 926 head.

179. Bell, "Cattle Trail", Vol. 35 (Jan., 1932), p. 237.

180. Sanderson, "A Cattle Drive," p. 404.

181. *Ibid.*, p. 405.

182. Bell, "Cattle Trail", Vol. 35 (Apr., 1932), pp. 290-293.

183. *Ibid.*, pp. 294-295.

184. *Ibid.*, p. 295.

185. This might have been because of the early watering stop and a wish to make more miles that day, or it might have been to forestall an Indian attack by passing the dangerous area after dark.

186. *Ibid.*, pp. 295-296.

187. *Ibid.*, pp. 296-297. Bell did not indicate how he learned of this, but it must have been from a forward scout from the Holliday party checking on grass and water conditions.

188. Sanderson, "A Cattle Drive," pp. 400, 407. Erskine named most of the same outfits and also noted herds belonging to Oliver and Montgomery, Byron and Edwards, H. Matson, and McClure. Obviously there were several herds on the trail between Texas and California.

189. Bell, "Cattle Trail", Vol. 35 (Apr., 1932), pp. 307-308; Sanderson, "A Cattle Drive," pp. 407-408.

190. Bell, "Cattle Trail", Vol. 36 (July, 1932), pp. 51, 55; Sanderson, "A Cattle Drive," pp. 408-409.

191. Bell, "Cattle Trail", Vol. 35 (Jan., 1932), p. 210.

192. Perrigo, *American Southwest*, p. 279.

Chapter 4

United States Mail and Transportation Development, 1857-1860

Improvements to the roads and mail services were demanded by the citizens of the rapidly growing and soon-to-be state of California, as well as statesmen who desired a more rapid development of the western and southwestern portions of the country recently won from Mexico. Agreement on a railway route still eluded Congress, but legislation was passed for the construction and improvement of many roads in the new territory.

Funds were also provided to establish a transcontinental mail service. The route initially stretched from Texas to California, with Cooke's Spring nearly at the center. Within a year the contractor and route were changed and the primary eastern terminus was relocated in Missouri, home of some of the most powerful politicians of the era. Portions of both routes were subjected to frequent and severe Indian attacks.

Increased Indian depredations in turn brought a further escalation of military presence in the Southwest that subsequently led to more deaths on both sides. The Indians and the military were not the only ones sniping at each other, however. Sectionalism, slavery and its hotly debated expansion, and other special interest groups, prevented agreement on railroad routes, a coherent Indian policy, road construction, and other vital issues. The political turmoil that was threatening to engulf the rest of the nation found its way to the Southwest and fertile ground.

The Government Wagon Roads

There were several good reasons for developing or improving western transportation routes. The military needed to control the Indians, and to accomplish this they had to be able to move troops rapidly from one location to another.[1] Emigrants and other civilian sectors needed better roads with more reliable water sources to promote western expansion and reduce the risk to travelers. In addition, Californians were applying pressure on Congress to establish new roads to this rapidly expanding area and to improve the existing transportation routes.[2]

Congress was unable to agree on the major issue of how and where to establish a national east-west railroad, and even the issue of wagon roads was hotly debated. John S. Phelps of Missouri and Miguel A. Otero of New Mexico sponsored a bill during the third session of the Thirty-Fourth Congress that would include funds for improving the southern road from Franklin to Yuma.[3] Sectional and partisan supporters, such as William Smith of Virginia, fought to increase appropriations; others, such as George W. Jones of Tennessee, strove to defeat the measure on constitutional grounds or at least strip it of the necessary funds.

The House of Representatives finally approved the legislation, allocating $300,000 for a central route to California, $50,000 for a road in New Mexico from Fort Defiance to the Colorado River, and $200,000 for the southern road to California. California's Senator John B. Weller urged the upper house to accept the measure, and it was passed by the Thirty-Fifth Congress on February 14, 1857. Three days later, on his last day in office, President Franklin Pierce signed the bill into law.[4]

Following the passage of wagon road legislation, Secretary of the Interior Jacob Thompson established a new agency, the Pacific Wagon Roads Office, to direct the efforts on these and other public works projects.[5] Each road project had several positions to be filled, and this provided a ripe new area for political patronage. The naming of key personnel to each of the wagon road projects was carried out primarily by three members of President

Buchanan's executive cabinet, Howell Cobb of the Treasury, John Buchanan Floyd of War, and Interior Secretary Thompson. Many of the appointments were based on political expediency, sectional interests, or personal friendship.[6]

For the Franklin-Yuma road, James B. Leach, who had previously contracted with the War Department for improving the Salt Lake-Southern California route in 1855, was named general superintendent. The position of chief engineer went to N. Henry Hutton, who had worked with Amiel Weeks Whipple, John Grubb Parke, and Gouverneur Kemble Warren, all of the Topographical Engineers, on their various railroad surveys and reconnaissances in the early and mid-1850s. There were several lesser appointments, including Leach's assistant and personal friend, David Churchill Woods, who would later betray this trust and cause Leach much grief.[7]

After protracted discussion, the route construction was planned (Figure 26) and Leach received his final instructions on May 9, 1857.[8] These instructions included a complex set of rules laid down by Secretary Thompson on reporting expenditures. An elaborate set of books was required using multiple copies of transactions and multiple signatures by all parties on all purchase vouchers. In addition, Leach was instructed not to engage in heavy grading or bridge building but to report any requirements for such work to the Department, along with an estimate of cost.[9]

Leach planned to hire about 100 skilled laborers in the east and complete the work force with 200 Mexicans when he reached Franklin. To minimize procurement problems, Leach also planned to purchase all equipment and provisions in the east, except for fresh meat, and freight it to the Rio Grande. He estimated that he would need $35,000 for mules and wagons, $28,000 for commissary supplies, $4,000 for tools, and $6,300 for camp equipage. Leach's commissary stores included 27,000 pounds of bacon, 19,225 of sugar, 10,012 of coffee, 2,675 of soap, 234 bushels of beans, and 40 barrels of vinegar. To this he added $5,000 worth of ammunition and 35 kegs of blasting powder.[10]

Some feared that in certain areas the Indians might interfere with the road construction. To forestall this possibility, the Commissioner of Indian Affairs' budget was tapped for $200 to $500 for each road superintendent to purchase gifts for influential tribal members. Interior Secretary Thompson may not have had faith in this approach, because he wrote to Secretary of War Floyd, and persuaded him to include 75 Sharp's rifles, 20 Colt's belt pistols, 11,250 rifle-ball cartridges, and 3,000 pistol cartridges.[11]

On June 27, 1857, Leach pulled out of Memphis, Tennessee, the assembly and supply depot for all the men and equipment, for Franklin, Texas. Each of the 40 wagons was equipped with two 10-gallon water kegs and a traveling forge, complete with blacksmith's tools and small quantities of iron and coke, all essential to prolonged overland travel. Fifteen of the wagons were drawn by mules and the remainder, more heavily laden, were pulled by oxen.

With adverse road conditions caused by heavy rains, the first party required 117 days to cover the 1,309 miles to Franklin, instead of the 40 days Leach had unrealistically estimated. Many of the men, including Leach, would become ill along the way as a result of the hardships and bad weather. The animals also suffered greatly because of road conditions, the oxen even more than the mules. As a result the men were forced to winter in Fort Belknap along the Brazos River in north-central Texas until the following May. This second group finally arrived at Mesilla two days less than a year after leaving Memphis, and without 11 of the 25 wagons.[12] This reduction of rolling stock was probably due to the consumption of commissary goods along the way.

In the interim Leach had not been idle. Upon arriving in Franklin on October 22, 1857, he had divided his men into several teams and set them to work improving the road according to plan. He personally supervised improvements between El Paso and Mesilla, and it was on this stretch only that an Indian problem was recorded. About five miles above Fort Bliss, Mescaleros stole several mules and horses from one of the road parties.[13]

Despite the difficulties in getting started, Leach had made such good progress by August 1, 1858, that he initiated a reduction of the work force and set some of the remaining crews to improving parts of the road already completed. That work progressed rapidly, and the remaining party was disbanded and the property sold by October 16, 1858.[14] To complete their responsibilities to the government, Leach and Hutton made a report to Congress on their achievements. Hutton, the Chief Engineer, noted that the road was almost entirely within the Gadsden Purchase and followed routes at least partially established by Cooke, Nugent, Hays, various parties of the

Figure 26. Leach's wagon road.

Mexican Boundary Commission, and Parke.

In his opinion, only one alternate had any natural superiority, and that one followed the railroad route on Parke's map. It left the Rio Grande at Mesilla, ran due west before turning up through Florida Pass and on to Peloncillo Pass.[15] This route, however, was lacking in surface water resources, and the development of underground resources would have incurred disproportionally excessive expenditures (which had been prohibited) when compared to the available alternative. However, the existing road from the Rio Grande up to the mesa near Picacho was improved in grade and distance.[16]

The primary road around the north side of Picacho Peak and thence west to Cooke's Spring was 18 feet wide on straight stretches and 25 feet on curves, with all brush and other obstructions cleared to 25 feet. This allowed use of 10-mule teams for freight wagons. Between Mesilla and Picacho it was necessary to raise the roadbed and provide drainage ditches on both sides for three miles through farm land. It was also necessary to construct five small bridges of eight- to ten-foot spans over ditches and irrigation canals. The crew also constructed a cutoff road that passed south of Picacho Peak and joined the main road about 12 miles west of the river, thereby saving about three miles for a traveler coming from the south.

Engineer Hutton also reported that the road crew made several improvements to water sources or water collection systems. Between the river and Cooke's Spring they constructed a reservoir of stone and earth across an arroyo that could trap about 40,000 gallons of water. Twelve miles east of Cooke's Spring they dug a well and constructed two water tanks that had a combined capacity of more than 16,000 gallons. At Cooke's Spring, they constructed two tanks to contain the overflow from the spring that provided a reservoir of nearly 27,000 gallons in addition to the water directly available from the spring.[17]

The stretch from the Rio Grande to Cooke's Spring remained dry for some time, however, as emigrants reported traveling all day and night from the river to reach the next available water at the spring. Evidently there had been little rain or Leach's tanks were incapable of retaining water very long.

In the matter of water, Hutton erred badly when he reported the water resources available at the crossing of the Mimbres. He had measured the water flow upstream from the old crossing point to be 20,000 gallons per minute.[18] As has been reported, this stream was sometimes completely dry at that point. What should have been accomplished there was to establish some method of collecting and retaining water when the river was flowing as a hedge against periods of exsiccation.

In making his report, Hutton was careful to point out how beneficial the road improvements would be for the emigrants. He calculated that the distance eliminated would amount to at least 5 days' travel, the distance between water sources reduced to a maximum of 27 miles, the mileage adjacent to running water was significantly increased, and the grades reduced sufficiently for 6 mules to pull 4,000 pounds and a team of 10 to manage 6,000.[19]

Hutton recommended a few improvements for the road. He suggested increasing the size of the water tanks that had been constructed and making them more permanent with the addition of stone linings. This, he estimated, would cost about $25,000. Hutton also requested consideration of a plan to build a bridge across the Rio Grande at Frontera, upriver from El Paso, that would be approximately 600 feet long and cost about $50,000. The first issue of the *Mesilla Miner*, June 9, 1860, included an article complaining that $36,000 had been left over from the El Paso-Fort Yuma Road construction and that this money could have been used to construct a bridge at Mesilla, but was expended on other roads instead. Obviously there were differences of opinion about where a bridge could be most efficiently constructed and the attending cost for the task.[20]

In 1857, possibly as a result of Leach's recommendation or as a means of pumping more money into the New Mexico treasury, the Territorial Legislature signed a contract with Samuel J. Jones, Robert P. Kelley, and Lewis S. Owings to build a toll bridge across the river at Mesilla.[21] However, this bridge apparently was never built, because there is no record that the Overland Mail used it, and a few years later floods were to change the course of the river anyway.

Engineer Hutton called the Rio Grande Valley from El Paso to Dona Ana the most important in the territory and reported that the combined population of Franklin, Mesilla, Las Cruces and its suburbs, and Dona Ana was about 10,000 people.[22]

It should be noted that not all had gone smoothly with the road improvement party headed by Leach.

Before the road builders reached Franklin, reports had filtered back to the Interior Department that Leach had been "frisking, gambling, and frolicking" to the discredit of the expedition and that government equipment was being used surreptitiously by the San Antonio-San Diego Mail contractor.[23] The Department assigned Welcome B. Sayles, an agent of the Post Office Department, to investigate the charges. Sayles determined that the former charge was a gross exaggeration, that Leach had played only a few hands of cards with Army officers at Fort Davis and had won and lost like a gentleman. He likewise found the collusion allegations without foundation.

However, after arriving in Mesilla and examining the financial accounts, Sayles found evidence of irregularity. In the procurement process, Leach's assistant Woods had instructed his underlings to persuade dealers to sign blank vouchers or to pencil in the amounts tendered for supplies or equipment. There were other discrepancies including claims by laborers that they had not received the amount of wages recorded in the official ledgers. Based on the evidence, Woods had illegally profited more than $3,000 and was arrested on November 17, 1858. Leach stood by his friend and even tried to cover up for him in some of the dealings.

As a result of this misplaced support, Leach was also indicted on May 16, 1859.[24] In addition, as a federal employee, Leach was held accountable for any differences between the vouchers and drafts in the double-entry bookkeeping method used to draw on government funds.[25] Leach returned to his home in California following the indictment and proceeded to prepare his defense. However, the trial was postponed, and the Attorney General eventually dropped the charge. The Interior Department was also prepared to compromise on the issue, and reduced the amount Leach and his bondsmen were to pay from $23,000 to slightly more than $13,000.[26]

While Leach and Hutton worked on the Franklin-Fort Yuma road across New Mexico, five other roads were built or improved in the Territory by the Army Engineers. One was constructed from the village of Canada to Abiquiu northwest of Espanola, and another from Albuquerque to Tecolote (a few miles south of present-day Las Vegas). Three other roads radiated from Santa Fe to Fort Union, Taos, and Dona Ana.[27] By 1858 there were good roads from Missouri to California via either El Paso or Santa Fe through Dona Ana, Cooke's Spring, Tucson, and Yuma.

Leach's wagon road opened the Southwest to major freighting efforts that had previously been too costly. Over the road, goods could flow from Missouri and the east to New Mexico, Arizona, California, and northern Mexico. The road gave the Southwest what the Mississippi River had given the midwest.[28] The roadbed was packed tighter and smoother as thousands of emigrants, the Overland Mail Companies, and army supply wagons traveled between Fort Thorn or Fort Fillmore and Fort Buchanan, south of Tucson, via Cooke's Spring. Fort Buchanan, until about 1858 when the garrison was cut in half, had 22 wagons with teams, and men to support all of them.[29]

The San Antonio-San Diego Mail Company

The government had experimented rather half-heartedly with mail routes to the west coast in the early and middle 1850s. Congress in 1854 and 1855 had established a mail link to Stockton, California, from Independence, Missouri, via Albuquerque and a second California route, also in 1854, via Salt Lake City. The latter mail route failed by 1856, but the former, subsidized at $80,000 per year, was still operating as late as 1859.[30]

In California, staging had developed quickly, and in the early to middle 1850s, James Birch had built a transportation empire and was president of the California Stage Company headquartered in Sacramento. His routes were extensive, and until the establishment of the transcontinental routes in the late 1850s, his line between Portland and San Diego was the country's longest. He was a millionaire when he stepped down from his role of leadership in February 1855 and returned east to concentrate on winning the first trancontinental mail route, if Congress were ever to pass the legislation.[31]

In the south central states there were numerous companies engaged in staging, with San Antonio, Texas, the transportation hub of the entire area. The first mail contract to operate westward from San Antonio had been let in 1850 to veteran stage operator Henry Skillman, and by December 1851, he was advertising a passenger service to El Paso del

Norte. This service was soon expanded to include a run between El Paso del Norte and Santa Fe.[32] Skillman lost his federal subsidy in 1854, however, and David Wasson won a contract in April of the following year to take over Skillman's service.[33]

The dispute over what route the federal mails should take to reach California was a continuation of the north-south disagreements over issues such as the annexation of Texas, the Treaty of Guadalupe Hidalgo, the Kansas-Nebraska controversy, the Gadsden Purchase, and the bloody Kansas War of 1856. Of course, the question of slavery expansion was the underlying issue in every case. In the Congressional sessions of 1855-1856, at least six bills were introduced that would establish mail service to California, but all failed to pass.[34]

An act was eventually passed on March 3, 1857, that provided mail service between the Mississippi River and the Pacific Coast. Congress had accomplished this by avoiding specifying either the route or terminals, leaving it up to the Postmaster General to make these decisions.[35] Birch, in competition with a new organization named The Overland Mail Company and seven other concerns, bid on various proposals.[36] Many thought that Birch, who had long been seeking such an arrangement, would have an inside track, and indeed that seemed to be an accurate assessment when, on June 22, he landed a four-year pact to provide mail service from San Antonio via Franklin, to San Diego.[37]

The contract awarded Birch by Postmaster General Aaron Vail Brown turned out to be something of a consolation prize despite the nearly $150,000 annual subsidy.[38] The required service called for semimonthly deliveries from San Antonio to San Diego to begin July 1, 1857, and from San Diego to San Antonio on July 24 (Figure 27). However, Brown had hand written a proviso into the contract stating that if any part or all of the route came to be contracted to another party, he could, at his discretion, curtail or discontinue the route awarded to Birch.[39]

In anticipation of the contract award, Birch had hired Isaiah Churchill Woods, who had experience in California express work, for his general superintendent, and Robert Emmett Doyle (Woods' brother-in-law) was appointed the chief agent for California.[40] Instructions to Doyle were dispatched by Woods from New York on June 20 on the first available steamship mail. The letter arrived in San Francisco on July 13, just 11 days before the first eastbound mail was to depart San Diego, and remarkably this schedule was met, probably made possible by the existence of the massive California operation. Following frantic preparations in San Antonio, the first westbound mail coach was dispatched only eight days late on July 9, with pack mules to carry supplies and several armed guards riding alongside driver James E. Mason.[41] Their route eventually incorporated the stations listed in Appendix C.

On July 16, 1857, Woods had hired William A. A. "Bigfoot" Wallace and Henry Skillman to help with the second westbound mail party and with supplies. Wallace was dispatched on July 19 with a supply train and 27 mules to stock the relay stations between San Antonio and the Pecos River. Skillman served as conductor of the second westbound mail that departed as scheduled on July 24. He was accompanied by five heavily armed men, provisions for 30 days, and $600 in gold to purchase replacement stock if needed.[42]

Woods next turned his attention to convincing George Henry Giddings to become a part of Birch's organization. Giddings had given Woods much help and advice in setting up the operation on such short notice, and Woods wanted his expertise included in the company. Under the terms offered, Giddings could retain his San Antonio-Santa Fe contract while drawing a salary from Birch as superintendent of the new line east of Tucson. On July 29, Giddings added his holdings to those of Birch and became a junior partner in the operation.[43]

Mason did not make as good time as the second mail and was overtaken by Skillman and the others on August 7.[44] They joined forces and proceeded west together through Tucson to nearby Maricopa Wells where Skillman would wait for the arrival of the mail from San Diego, while Mason carried the combined mails to California.[45] In the meantime, Judge Benjamin Ignatius Hayes recorded in his journal that on July 24 the mail was sent off from San Diego for Texas with six men, but additional help would be recruited along the way to resist the Apaches.[46] He also noted on August 31, 1857, that the first mail arrived from San Antonio, having made the trip in 34 days.[47]

According to the Judge, San Diego was rejoicing. The cannon located there was deemed unsafe, so two anvils were procured and "Boston" (J. Judson

Figure 27. The San Antonio-San Diego Mail Company route.

Ames), Captain Stevens (an old sailor of the coast), and others "fired" the anvils repeatedly in celebration of the achievement.[48] In frontier times celebration fireworks were frequently provided by placing one blacksmith's anvil upside down on top of a second anvil. A small charge of black powder was inserted between the two and ignited. The result was a sharp report and a loud bell-like sound from the anvils. Therefore, this was also called "ringing" the anvil.

Despite the mail service's impressive start, not all had gone entirely smoothly in the first two months of operation. The supply train led by Wallace never reached its destination. After few days on the road, Wallace and his crew were suddenly attacked by a party of Comanches. In the confusion Wallace managed to jump from the stage after the pole snapped and mount one of the spare mules. He and the mounted guards escaped, but young William Clifford, of New Orleans, was trapped and killed by the Indians.[49] Meanwhile, Birch had returned to the coast to tend to business for the new line and review the California operations in which he was still involved.

On August 20, 1857, Birch embarked for the east by the steamer route, crossed the Isthmus of Panama, and sailed from Aspinwall in early September for Havana, Cuba, aboard the steamship *Central America* owned by the United States Mail Steamship Company.[50] When the ship departed Cuba on September 8, it had 508 passengers, a crew of 101 under Captain William L. Herndon, and a cargo treasure valued at over $1.5 million.[51] On the third day a rapidly developing storm reached gale force making headway difficult, and a search revealed that the ship was taking water.

Emergency measures failed to forestall the inevitable and the following day, September 12, with the ship now helpless, its lifeboats made several hazardous trips to the brig *Marine*, transferring women and children until the small boats were too damaged to continue. Remaining passengers and crew fashioned rafts out of anything that would float, but still many, including all the officers of the crew except Second Officer James M. Frazer, went down with the ship at 8 o'clock that night. Survivors were picked up by three rescue vessels over the next several days, but of the 609 persons on board, only 182 were saved; James Birch was one of the 427 who were not.[52]

Woods had proceeded to California with one of the mail deliveries but missed making contact with Birch and therefore was unable to obtain any funds to pay debts that he and Giddings had incurred for the company. Moreover, on Woods' return to Franklin, the next mail from the east carried the news of Birch's untimely death, the transfer of control to Otis H. Kelton, and the confirmation of Abner Barrows as agent in charge of the line in Texas. Woods was out. However, he applied to Simeon Hart for a loan to sustain operations, and Hart loaned him $10,000 and urged fellow merchants to accept Woods' personal notes.[53]

Giddings and Doyle worked out an agreement with Postmaster General Brown and Birch's executors for Giddings and Doyle to assume the mail contract as of March 3, 1858, and continue operating as the San Antonio-San Diego Mail Company.[54] Giddings retained Woods as superintendent.

Despite continuing losses of men, supplies, and mules to the Indians, Giddings managed to keep the line in operation. However, in mid-April 1858, upon returning to San Antonio, he received two strong doses of bad news. First, Giddings learned that Indian raids had nearly destroyed his western stations, and second, that his brother Frank (Francis Marion), his agent at El Paso since August 1856 (who was simultaneously pursuing his medical practice), had been killed in Benjamin Shacklett "Uncle Ben" Dowell's saloon, and his assailant had escaped to Mexico.[55]

Adding to his troubles, Giddings could not collect the money still owed him from the last quarter's service for 1857 because Congress had failed to pass the appropriations bill. Instead the government issued him certificates of indebtedness that he could cash only at a substantial discount.[56] This was an extremely serious matter; cash was needed for payroll, supplies, and equipment because, after only one year of operation, the line had already lost 232 mules and an unrecorded amount of supplies and equipment.

It is unclear exactly when in 1858 the line started to haul passengers regularly, but the line was definitely carrying passengers as early as May. Until Giddings established his stations that supplied food for the travelers, the passengers and crew either carried provisions with them or were issued quartermaster supplies at military posts along the route as authorized by Colonel Edwin Voss Sumner. Meals

were cooked at brief stops along the route.[57]

Passengers could purchase a ticket to El Paso for $100, Tucson for $150, and San Diego or San Francisco (obviously through a connection with a California line) for $200. Lesser trips between other points cost 15 cents per mile. Baggage allowance was 30 pounds for luggage in excess of blankets and weapons, and extra cost 40 cents per pound to El Paso and one dollar to San Diego.[58] The *San Diego Union* printed a list of what was considered to be the minimum requirements for passengers using the San Antonio-San Diego Mail Company services. It included

> *a Sharp's rifle with 100 cartridges, a Colt's revolver and two pounds of balls, a sheath knife, a pair of thick cotton socks, three undershirts, three brown linen shirts, three heavy woolen overshirts, a hat, a cheap sack coat, a soldier's overcoat, one pair of blankets in summer and two pair in winter, a piece of India rubber cloth, one pair of gauntlets, a small bag with needles and thread, a sponge, hair brush, comb, and soap in an oilskin bag, two pairs of thick drawers, and three to four towels.*[59]

The paper added that money should be carried in silver and small denomination gold.

Covering the distance of 1,476 miles normally took nearly a month, but at least one trip was made in 21 days. Passengers rode in the coach except across 100 (or 180) miles of desert sand west of Yuma, when they rode on muleback.[60] This is the source of the nickname "Jackass Mail" by which the company became known. Undoubtedly, the coaches hauled many passengers, but only one journal was located that had been kept by a San Antonio-San Diego Mail Company customer.

Phocion Way, a 38-year-old engraver, left Cincinnati, Ohio, on the morning of May 8, 1858, bound for a job with the Santa Rita Mining Company in Tucson, Arizona. Way traveled by riverboat, by way of Cairo, Illinois, down the Mississippi River to New Orleans, and then by steamer to Indianola on the Gulf Coast of Texas. He traveled overland by coach to San Antonio and there purchased a ticket west on the San Antonio-San Diego Mail Company line. Way arrived in El Paso on June 4, 1858, after an uneventful trip from San Antonio, except that he had to walk part of the time because there were problems with equipment and animals.[61]

The last leg of Way's journey to El Paso was shared with William T. "Uncle Billy" Smith.[62] According to Way, Smith was still suffering from a gun-shot wound received below the knee about eight weeks earlier, and he related the story behind the incident to Way. Smith had been trying to make peace between Dr. Frank Giddings and a gambler named Tom Smith. Tom Smith shot at Giddings, hitting him in the upper leg, and the same ball passed through Giddings and broke William Smith's leg. Tom's second shot struck Giddings in the head, killing him, after which Smith escaped across the Rio Grande.[63]

On June 5, Way was roused at daylight to continue on from El Paso. His comments about his traveling companions and the sights he observed were highly descriptive and included some sketches. They stopped at 10 o'clock for breakfast at Henry Skillman's ranch 24 miles north of El Paso and spent the night at the station near Fort Fillmore. They pulled out the next morning at 8 o'clock accompanied by six, well-armed, mounted men.[64] The stage was taken across the river by flatboat, but the mules were made to swim.

After crossing the Rio Grande, another stop was made at Mesilla where Way indicated that several kinds of fruit and many varieties of grapes were available. When they pulled out of Mesilla, the vehicle was so heavily loaded that the driver feared they might break down, and Way complained about the shabby wagon they were forced to use in lieu of a regular coach. He also noted that the mail company employees claimed they had not been paid for some time and that the credit of the company was nearly at its limit. He recorded in his journal that the government should see that the line was more properly managed.[65]

After traveling all night, the party reached Cooke's Spring on June 7, 1858. They made the 60-mile leg without stopping because, at the time, there was no water to be had after leaving the Rio Grande until reaching the spring below Cooke's Peak.[66] Way did not mention any camp or change of mules at the spring, so there was probably no station there at the time. He did note that during the night the coach (or wagon) had difficulty in passing a long Mexican wagon train. They reached the Mimbres River by 6 o'clock that evening and continued safely to Tucson.[67]

In July 1858, the San Antonio-San Diego Mail

Company service was changed from semimonthly to weekly and the postal subsidy increased to $191,488 annually.[68] The newspaper advertisements also claimed that passengers would be hauled in new 6-mule coaches, except for the 100 mile stretch west of Yuma.[69] One of the men who worked for the San Antonio-San Diego Mail Company, James Henry Tevis, would figure significantly in the developing sagas of the Southwest. If Tevis's memoirs are reasonably accurate, he was a real "hell-bent-for-leather" type whose earlier escapades included filibustering in Central America with "General" William Walker the previous year.[70]

Following Tevis's return to the United States in 1857, he and several companions ventured to Arizona by way of Franklin and Mesilla. While pausing at Mesilla, Tevis claimed to have pistol whipped a notorious badman known locally as Black Bill and participated in shooting up a dance hall, killing two and wounding several of the opposing Mexicans. As a result of the row, the Americans were besieged in the hotel and were rescued by the Dragoons out of Fort Fillmore led by Second Lieutenant Richard S. C. Lord. The group proceeded to Tucson by way of Cooke's Spring without further incident.[71]

During the remainder of 1857 and the first part of 1858, Tevis went on hunting expeditions out of Tucson with notables such as "Mose" Carson, brother of Christopher "Kit" Carson. During this period, according to Tevis, he was involved in two serious battles with Apaches, including some identified by Carson as belonging to Mangas Coloradas's band. Following the second close escape from death, he accepted an offer from Anthony Elder and became part of the 10-man crew supporting the San Antonio-San Diego Mail Line operations at Apache Pass. A short time later, Elder infuriated the Indians who hung around the station by driving them off with a whip.

Division agent McNeice, acting on the advice of a friendly Apache sub-chief, Esconolea, transferred Elder farther east in charge of the supply train and put Tevis in command of the Apache Pass facility.[72] Tevis ran the isolated station with a firm hand, initially winning the grudging respect of Cochise and earning the life-long friendship of Esconolea. Tevis aided the Indians with corn and other supplies when times were tough for the Apaches, but would not permit any of them to remain inside the station when a stage was in. First an Apache named Dirty Shirt and then Cochise himself decided to test Tevis on this issue. According to Tevis, he pitched both out the station door by the hair and the seat of their breechclouts.[73]

At the time of the second incident, the westbound stage, driven by Brad Daily with Louis O'Shea as conductor, was at the station with a full load of passengers. Daily feared instant retaliation by Cochise and demanded the fresh team be hitched and the passengers reloaded immediately. Tevis grudgingly complied but made the passengers pay for their unfinished meal. According to Tevis, Daily made the Dragoon Station, 40 miles west of Apache Pass, in record time and continued to Tucson, pleading urgent personal business rather than returning with the next eastbound coach through Apache Pass as would have been the normal procedure.[74]

Following Tevis's refusal to face Cochise in a horseback duel of lance against pistol, unless the Apache precipitated the fight, his relationship to Cochise entered a period that cycled between alleged friendship and threats to burn Tevis and his men at the stake.[75] A series of events would soon see Cochise a committed enemy of Tevis. Cochise held two captive Mexican boys, Jose and Chivero (later called Mirajida Grijalba), who would figure in the developing enmity between him and Tevis.

In the winter of 1858, Indian Agent Dr. Michael Steck had brought presents to the Apaches staying near the pass. Tevis indicated that Cochise became angry with Steck over the quantity and quality of the offered goods and forced Steck to leave abruptly, much to Tevis's amusement. Agent Steck made a second sojourn to Apache Pass, again with gifts, under the protective cloak of Captain Richard Stoddert Ewell and two companies of First Dragoons. During Steck's visit he expressed a desire to obtain Chivero who was also Cochise's interpreter. Oddly enough, especially considering Tevis's low opinion of Steck, the station manager put the boy on a stage for Mesilla a few days later.

It is not known if that act had anything to do with Cochise's actions shortly thereafter. The Apache Chief gave the other boy, Jose, a pistol and urged him to settle "American style" with John Wilson, one of Tevis's men from Missouri. Jose waited for Wilson outside the station, and when he came out the door, the boy cocked the pistol and fired. He missed, and his second shot was also wide of the

mark. Wilson, before Jose could make a third attempt, drew his pistol and killed the boy. Cochise was considerably upset, but Tevis declared that the incident had been provoked by the Chief and that Wilson had only defended himself.[76]

Another link in the chain of incidents that led to the disintegration of all ties between Tevis and Cochise occurred when the station cook, identified only as Abbott, caught an Apache boy stealing sugar. Tevis, contrary to advice from Esconolea, spanked the lad before turning him loose. The little Apache's older brother was Cochise's brother-in-law, who was a good friend of Tevis (Tevis had loaned the warrior some horses to complete the purchase of his bride). Despite this, the Apache warrior warned Tevis to be on his guard in the future.

A few days later, Cochise's brother-in-law and Dirty Shirt ambushed Tevis. The American managed to drop Dirty Shirt with a well placed pistol shot, but the other warrior was upon him before he could recock his weapon. In a desperate hand-to-hand struggle, Tevis received a painful cut before stabbing his opponent to death. He carefully buried both bodies and erased as much of the combat evidence as possible. The killing of the two Apaches was not Tevis's secret alone. Esconolea had witnessed the entire grisly episode but, as he later explained, had seen no reason to interfere as he planned to avenge Tevis should he be killed.

Tevis managed to conceal his painful wound from everyone, or so he thought, but proceeded to document the incident in the diary that he kept in a locked trunk. A few days later, while Tevis was at another station on company business, Abbott, who had noticed bloodstains on Tevis's shirt, picked the lock on Tevis's trunk and read the account of the ambush. He reconnoitered the site and went so far as to recover an arrow from each of the warrior's bow quivers. When he confronted Tevis with the evidence, Tevis became enraged and threatened to kill him if he so much as hinted the truth to anyone. However, knowing it was only a matter of time until Cochise discovered the reason for the two warriors' absence, he resolved to leave the station.[77]

Tevis applied to the company superintendent for a transfer to the Rio Grande valley, but his superior feared that any new agent would not be able to control the Apaches. According to Tevis, the Overland Mail lawyer in Mesilla, Samuel Woodworth Cozzens, and the company superintendent concocted a plan to keep Tevis at the station. They had Abbott accuse Tevis of trading off company corn to the Indians without authorization, certain that Tevis would agree to remain at Apache Pass rather than risk arrest and trial. Instead, Tevis disarmed the Dona Ana County Sheriff, Samuel G. Bean, gathered his stock, and departed for the Rio Grande. He located Anthony Elder, and the two settled on a ranch near Canutillo, 16 miles up the river from El Paso.[78]

In October of 1858, Postmaster General Brown exercised the proviso he had inserted in the contract with Birch that Giddings and Doyle had inherited. The Butterfield line incorporated the El Paso to Fort Yuma portion of the mail route. Giddings was reduced to operating short lines between San Antonio and El Paso and between El Paso and Santa Fe. On the other end of the mail route Giddings also retained the line between Fort Yuma and San Diego, because the Butterfield line veered off toward Los Angeles from the Yuma crossing (Figure 28).[79]

In early 1860, the far western section was also sacrificed to the Butterfield Overland Mail Company, and Giddings was left with only the San Antonio to El Paso leg for postal subsidies.[80] Despite the curtailment of government support, however, the old "Jackass" line continued to advertise passenger service in the San Antonio papers for points between New Orleans, Louisiana, and San Diego, California, as late as August 18, 1860.[81]

The Butterfield Overland Mail Company

As previously noted, Congress approved an act on March 3, 1857, authorizing the advertisement for bids for mail service between some point on the Mississippi and San Francisco and leaving it up to the Postal Department to work out the details. Among the nine bidders for mail route Number 12,587 was the Overland Mail Company headed by 56-year-old John Butterfield of Utica, New York.[82]

Butterfield was born on November 18, 1801, at Berne, New York. He had little formal education but obviously had a good mind. By the time he was 19, Butterfield was a stage driver for the firm of Thorp and Sprague of Albany, New York. In 1830 he moved to Utica with another firm, and, with a

Figure 28. Butterfield's and Giddings' routes, 1859-1861.

horse and two-seat carriage, started his own business. By 1849 he had expanded into the lake steamer trade and that year organized the Butterfield and Wasson Express Company. Soon thereafter he merged with two other similar firms, Wells and Company and the Livingston and Fargo Express. Thus the American Express Company was formed in 1850, and Butterfield would remain one of its directors until his death November 14, 1869.[83]

The organizations responding to the call for bids had more at stake than the subsidized mail contract. The government would be paying to support a transportation line that would also be permitted to carry passengers and freight, but only the revenue from the mail would belong to the government. In addition, Section 12 of the bid notice stated that the contractors would have the right to preempt 320 acres at each station that was not less than 10 miles from another, unless the land was already encumbered or had been set aside for the minerals thereon.[84] The nine bids for the new mail contract were opened on July 1, 1857. All bidders had named St. Louis, Missouri, as the starting point but proposed reaching California by different routes.[85]

Butterfield's route proposal was calculated to give as little offense as possible to either north or south. From St. Louis he would go by way of the well-established Santa Fe Trail to New Mexico and then to California along the 35th parallel. However, Butterfield, as had the others, included a proviso that he would consent to route modifications by the government.[86] The fact that Butterfield was a personal friend of President James Buchanan may or may not have had any bearing on the issue, but in any event the contract was awarded to the Overland Mail Company on July 2, 1857. The terms were for six years at an annual sum not to exceed $600,000.[87]

Postmaster General Brown rejected the Santa Fe Trail proposal and insisted on a southern route with an eastern terminus at Memphis, Tennessee, in addition to the one at St. Louis.[88] The choice of St. Louis for an eastern terminal was an obvious one. Not only did more than a dozen railroads radiate from there but so did more than 70 steamboat lines as well. It would serve as a point from which the mail from the west could be rapidly distributed and an excellent collection point for passengers and mail routed west. Tipton, Missouri, 150 miles west, was nearly as good with a direct rail connection to St. Louis, and as the railroad moved west, the stage line could be correspondingly shortened. Memphis had no railroad. Nevertheless, a compromise was reached that would use both cities. Another hitch developed over where the lines should come together. Butterfield liked Fort Smith, Arkansas, but Brown insisted on Little Rock. This was to prove impractical, and the roads later merged at Fort Smith as Butterfield had desired.[89]

From the juncture a single route would proceed west through Franklin, Texas, and Tucson, Arizona, to California. There were some good reasons for this decision. The more northern routes were sometimes closed for as long as four months in the winter.[90] In addition, in 1857 the Mormon Church was at war with the United States, and even though an army was on the plains under the command of Colonel Albert Sidney Johnston (supported by Lieutenant Colonel Philip St. George Cooke and his Second Dragoons), the issue was not settled, nor was the outcome certain.[91]

Following a few negotiations, the specific route was established and the contract signed on September 15. Now all that remained for Butterfield to do was to put the line in working order within the requisite year. To get the line started, he had to build about 150 stations and corrals, dig wells and cisterns, grade fording sites, open new roads or improve old ones, establish supply bases and repair shops, purchase and distribute 1,200 horses and 600 mules, procure several thousand tons of hay and fodder, build hundreds of coaches, and hire 750 to 800 men.[92]

For administrative purposes, Butterfield divided the primary route into eastern and western divisions with Franklin the dividing point. These major divisions were then divided into minor divisions, five to the east, and four to the west. Wherever possible within these divisions Butterfield's field men did not build new way stations but used the homes of farmers and ranchers along the way. Across the more sparsely populated Southwest, however, new stations were constructed of sod, adobe, or rock. To cross the many rivers, he made use of ferries and natural fording places rather than assuming the costly and time consuming tasks of bridge building.[93]

The only station Butterfield initially provided between Mesilla and Cooke's Peak was one at the little community of Picacho where the road wound around the north side of Picacho Peak and ascended the west mesa. The 52 miles from this point to Cooke's Spring was the longest stretch between sta-

tions in the western division.[94] The Picacho location was dropped in December 1858 with the establishment of the Rough and Ready relay station 11 miles beyond. Another station, Goodsight, was added soon thereafter, but Mason's (formerly Slocum's) ranch was not added until much later and by another line.

The station at Cooke's Spring was a "swing" station. Swing stations were only to provide a change of teams for the coaches and were not intended to provide passenger services. Cooke's Spring station (Figure 29) was located in the low pass about one-half mile southeast of the spring.[95] Initially only a tent, the station was soon constructed of adobe and still later another structure was built closer to the spring by a postbellum stage company.

Butterfield and his employees worked feverishly to stockpile hay, grain, and other supplies, along with food, at each of the stations, and arrangements had to be made for regular deliveries after the coaches began rolling.[96] Each station would require 50 to 100 tons of hay and grain each year, and at some, water had to be hauled in.[97] In parallel with setting up the stations and providing men to operate them, Butterfield also had to procure a large number of coaches. For the more settled areas at each end of the line, he selected the Concord, built by Abbot and Downing of Concord, New Hampshire, and the Troy, produced at Troy, New York, by Eaton, Gilbert and Company.

For the rougher middle portion of the line he had a different type of vehicle designed, called the Celerity wagon.[98] This vehicle had smaller wheels than the Concord and a body similar to a regular stage. The top was a frame covered only with leather or heavy duck, and the windows and doors, made of the same material, could be rolled up in fair, warm weather. The three seats, each capable of holding three passengers, were constructed so that the backs could be let down and made into a single large passenger bed at night.[99] The Celerity wagon weighed 3,000 pounds, had a capacity of about 4,000 pounds, and cost about $1,400.[100]

To man the coaches and wagons, Butterfield needed drivers. He hired many former teamsters, but others were from various backgrounds. These men saw themselves, as did much of the public, as knights of the road. Some were cautious, most were friendly, and some must have seemed insane for the driving they did and the risks they took.[101] Certainly the drivers have been romanticized over time, but theirs was a difficult and sometimes dangerous task. A driver usually traveled about 60 miles of the road, referred to as a section, and was therefore very familiar with it. He carried a bugle to warn the station keeper to prepare for a change of animals because, to keep the schedule (Figure 30), this was supposed to be accomplished in ten minutes.[102]

However, the operation required more than drivers, who comprised only about one-fourth of the Butterfield employees. In addition to the blacksmiths and other specialists spread along the line, every station had one or more keepers, who were responsible for the well-being of the animals stocked there, protection of the company property and, at some stations, the feeding of the passengers. There were also the conductors. The conductor was in ultimate control of the coach. He rode with the drivers across several sections of the route that might include all of one of the nine divisions.[103] To make certain that everyone, including the passengers, understood their responsibilities, Butterfield issued a page of "Special Instructions" to be followed (Figure 31).

With the multitudinous preparations accomplished, the line was ready by the contracted time. Leach and his crew were in the final stages of the road work between the Rio Grande and Fort Yuma when Butterfield's first stage rolled in mid-September, 1858.[104] The through-fare west was $200, but only half that was charged for those returning to the east. Meals were 50 cents extra. Usually the food was simple and of poor quality, which later led one passenger to remark that at one stop both table and food were black with flies, and the pests had to be spooned out of the tea before drinking it.[105] Way passengers, those traveling less than the full distance, were charged 15 cents per mile, mail was 10 cents per half ounce, and the freight fee was one dollar per 100 pounds per 100 miles.[106]

When the first mail was ready, there was to be a race. On September 16, 1858, at 8 o'clock in the morning, the mail coming from St. Louis to Tipton, Missouri, was preceded by two hours by an eastbound train carrying mail that would go by ocean steamer from New York to San Francisco, by way of Panama, where it would be due about October 11 or 12. The Overland Mail coach raced west carrying John Butterfield, who rode as far as Little Rock, and 23-year-old Waterman Lilly Ormsby, a reporter for

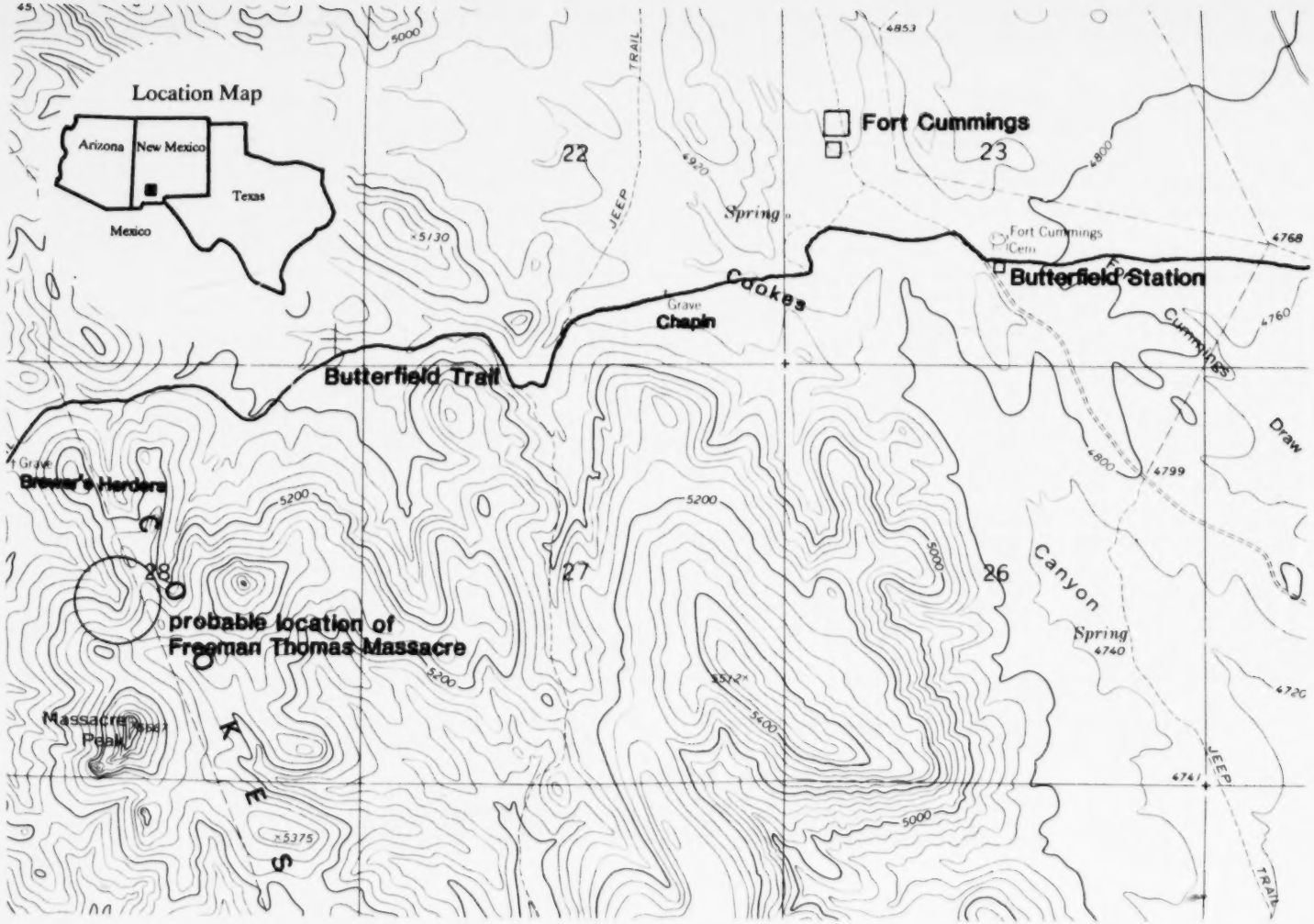


Figure 29. Cooke's Spring area. From the U.S.G.S., Department of the Interior, Massacre Peak DMA map 4448 I NW.

OVERLAND MAIL COMPANY.

THROUGH TIME SCHEDULE BETWEEN

ST. LOUIS, MO., MEMPHIS, TENN. } & SAN FRANCISCO, CAL.

GOING WEST.

LEAVE.	DAYS.	Hour.	Distance. Place to Place.	Time allowed.	Av'ge Miles per Hour.
St. Louis, Mo., & Memphis, Tenn.	Every Monday & Thursday,	8.00 A.M	Miles.	No. Hours	
P. R. R. Terminus, "	" Monday & Thursday,	6.00 P.M	160	10	16
Springfield, "	" Wednesday & Saturday	7.45 A.M	143	37¾	3¾
Fayetteville, "	" Thursday & Sunday,	10.15 A.M	100	26½	3¾
Fort Smith, Ark.	" Friday & Monday,	3.30 A.M	65	17½	3¾
Sherman, Texas	" Sunday & Wednesday,	12.30 A.M	205	45	4½
Fort Belknap, "	" Monday & Thursday,	9.00 A.M	146½	32½	4½
Fort Chadbourn, "	" Tuesday & Friday,	3.15 P.M	136	30½	4½
Pecos River, (Via. Crossing.)	" Thursday & Sunday,	3.45 A.M	165	36½	4½
El Paso,	" Saturday & Tuesday,	11.00 A.M	248½	55½	4½
Soldier's Farewell	" Sunday & Wednesday,	8.30 P.M	150	33½	4½
Tucson, Arizona	" Tuesday & Friday,	1.30 P.M	184½	41	4½
Gila River,* "	" Wednesday & Saturday	9.00 P.M	141	31½	4½
Fort Yuma, Cal.	" Friday & Monday,	3.00 A.M	135	30	4½
San Bernardino "	" Saturday & Tuesday,	11.00 P.M	200	44	4½
Ft. Tejon, (Via Los Angeles)	" Monday & Thursday,	7.30 A.M	150	32½	4½
Visalia, "	" Tuesday & Friday,	11.30 A.M	127	28	4½
Firebaugh's Ferry, "	" Wednesday & Saturday	5.30 A.M	82	18	4½
(Arrive) San Francisco,	" Thursday & Sunday,	8.30 A.M	163	27	6

GOING EAST.

LEAVE.	DAYS.	Hour.	Distance. Place to Place.	Time allowed.	Av'ge Miles per Hour.
San Francisco, Cal.	Every Monday & Thursday,	8.00 A.M	Miles.	No. Hours	
Firebaugh's Ferry, "	" Tuesday & Friday,	11.00 A.M	163	27	6
Visalia, "	" Wednesday & Saturday,	5.00 A.M	82	18	4½
Ft. Tejon, (Via Los Angeles)	" Thursday & Sunday,	9.00 A.M	127	28	4½
San Bernardino, "	" Friday & Monday,	5.30 P.M	150	32½	4½
Fort Yuma, "	" Sunday & Wednesday,	1.30 P.M	200	44	4½
Gila River,* Arizona	" Monday & Thursday,	7.30 P.M	135	30	4½
Tucson, "	" Wednesday & Saturday	3.00 A.M	141	31½	4½
Soldier's Farewell,	" Thursday & Sunday,	8.00 P.M	184½	41	4½
El Paso, Tex.	" Saturday & Tuesday,	5.30 A.M	150	33½	4½
Pecos River, (Via. Crossing.)	" Monday & Thursday	12.45 P.M	248½	55½	4½
Fort Chadbourn, "	" Wednesday & Saturday	1.15 A.M	165	36½	4½
Fort Belknap, "	" Thursday & Sunday,	7.30 A.M	136	30½	4½
Sherman, "	" Friday & Monday,	4.00 P.M	146½	32½	4½
Fort Smith, Ark.	" Sunday & Wednesday,	1.00 P.M	205	45	4½
Fayettoville, Mo.	" Monday, & Thursday,	6.15 A.M	65	17½	3¾
Springfield, "	" Tuesday & Friday,	8.45 A.M	100	26½	3¾
P. R. R. Terminus, "	" Wednesday & Saturday	10.30 P.M	143	37½	3¾
(Arrive) St. Louis, Mo., & Memphis, Tenn.	" Thursday & Sunday,		160	10	16

This Schedule may not be exact—Superintendents, Agents, Station-men, Conductors, Drivers and all employees are particularly directed to use every possible exertion to get the Stages through in quick time, even though they may be ahead of this time.

If they are behind this time, it will be necessary to urge the animals on to the highest speed that they can be driven without injury.

Remember that no allowance is made in the time for ferries, changing teams, &c. It is therefore necessary that each driver increase his speed over the average per hour enough to gain the necessary time for meals, changing teams, crossing ferries, &c.

Every person in the Company's employ will always bear in mind that each minute of time is of importance. If each driver on the route loses fifteen (15) minutes, it would make a total loss of time, on the entire route, of twenty-five (25) hours, or, more than one day. If each one loses ten (10) minutes it would make a total loss of sixteen and one half (16½) hours, or, the best part of a day.

On the contrary, if each driver gains that amount of time, it leaves a margin of time against accidents and extra delays.

All hands will see the great necessity of promptness and dispatch: every minute of time is valuable as the Company are under heavy forfeit if the mail is behind time.

Conductors must note the hour and date of departure from Stations, the causes of delay, if any, and all particulars. They must also report the same fully to their respective Superintendents.

* The Station referred to as Gila River, is 40 miles west of Maricopa Wells.

JOHN BUTTERFIELD.
Pres't.

Figure 30. Butterfield's operational schedule.

SPECIAL INSTRUCTIONS.

In order to carry out this undertaking, it is necessary that the following Instructions be strictly observed by all Employés of the Company.

TO CONDUCTORS, AGENTS, DRIVERS & EMPLOYÉS.

1.—It is expected that all employés of the Company will be at their posts at all times, in order to guard and protect the property of the Company. Have teams harnessed in ample time, and ready to proceed without delay or confusion. Where the coaches are changed, have the teams hitched to them in time. Teams should be hitched together and led to or from the stable to the coach, so that no delay can occur by their running away. All employés will assist the Driver in watering and changing teams in all cases, to save time.

2.—When a stage is seriously detained by accident or otherwise, the Conductor or Driver will have the same noted on way bill and note book, and report fully to the Superintendent at first station the nature and cause of such delay.

3.—Conductors should never lose sight of the mails for a moment, or leave them, except in charge of the driver or some other employé of the Company, who will guard them till his return. This rule must not be deviated from under *any circumstances*. They will also report to the Superintendent in all cases if Drivers abuse or mis-manage their teams, or in any way neglect or refuse to do their duty.

4—The time of all employés is expected to be at the disposal of the Company's Agents, in all cases, at stations where they may be laying over. Their time belongs exclusively to the Company; they will therefore be always ready for duty.

5.—None but the Company's Superintendents or Agents who have written permission, are authorized to make or contract debts, give notes, due bills, or any obligations on account of the Company.

6.—Conductors and Drivers will be very particular, and not allow the Company's property to be abused, or neglect to report to the proper parties the repairs required.

7.—You will be particular to see that the mails are protected from the wet, and kept safe from injury of every kind while in your possession, in your division, and you will be held personally responsible for the safe delivery at the end of your route, or point of destination, of all mails and other property in your charge.

8.—The Company will not at present transport any through extra baggage, freights, or parcels of any description. All employés are cautioned against receiving such matter in any shape or manner, except such local business of this nature, from place to place, as will be done according to the instructions and prices to be given by the different Superintendents. You will not fail to see that all parcels, boxes or bundles carried on the stage, shall be entered on the way bill, with amount of freight to be charged, and you will be held responsible for the safe delivery, at point of destination, of all such packages. The Agent will see that the charges are paid, and articles receipted for at time of delivery. No money, jewelry, bank notes, or valuables of any nature, will be allowed to be carried under any circumstances whatever.

9.—All Superintendents, Agents, Conductors and Drivers will see particularly that every passenger shall have their names entered on the way-bill at point of departure; that their fare shall be paid in advance, and the amount entered on way-bill as paid to point of destination. No Conductor or Agent must allow any stage to leave his station without personally comparing the way-bill with the passengers, and knowing that they agree. Each Station Agent will be required to note the time of arrival and departure of each stage at his station, both on the way-bill and on a book kept for that purpose, giving the Driver and Conductor's name and cause of delay, if any has occurred.

10.—Superintendents will report to the President and Treasurer of the Company, and to each other, the names of the persons authorized to receipt fare on way-bill. No others than those named by them will be allowed to receipt fare.

11.—The rates of fare will, for the present, be as follows: between the Pacific Railroad terminus and San Francisco, and between Memphis and San Francisco, either way, through tickets, $200. Local fares between Fort Smith and Fort Yuma not less than 10 cents per mile for the distance traveled. Between Fort Yuma and San Francisco, and between Fort Smith and the Railroad terminus, the rate of fare will be published by the Superintendents of those divisions.

12.—The meals and provisions for passengers are at their own expense, over and above the regular fare. The Company intend, as soon as possible, to have suitable meals at proper places prepared for passengers at a moderate cost.

13.—Each passenger will be allowed baggage not exceeding 40 lbs. in any case.

14.—Passengers stopping from one stage to another, can only do so at their own risk as to the Company being able to carry them on a following stage. In cases of this nature, the Conductor or Agent at the place where they leave the stage, will endorse on the way-bill opposite their name, "Stopped over at ————————." And on the way-bill of the stage in which the passenger continues his journey, the entry of his name will be made with the remark, "Stopped over from stage of the ——— (giving the date). Fare paid to ———————— on way-bill of ———————— (date) from———————— (name the place.)"

15.—All employés are expected to show proper respect to and treat passengers and the public with civility, as well as to use every exertion for the comfort and convenience of passengers.

16.—Agents, Conductors, Drivers and all employés will follow strictly all instructions that may be received from time to time from the Superintendents of their respective divisions.

17.—Any transactions of a disreputable nature will be sufficient cause for the discharge of any person from the employ of the Company.

18.—INDIANS. A good look-out should be kept for Indians. No intercourse should be had with them, but let them alone; by no means annoy or wrong them. At all times an efficient guard should be kept, and such guard should always be *ready* for any emergency.

19.—It is expected of every employé that he will further the interests of the Company by every means in his power, more especially by living on good terms with all his fellow-employés, by avoiding quarrels and disagreements of every kind and nature with all parties, and by the strictest attention of each and every one to his duties.

M. L. KENYON, *San Francisco, Cal.*
HUGH CROCKER, *Fort Smith, Ark.*
JAMES GLOVER, *El Paso, Texas*
WM. BUCKLEY, *Fort Yuma, Cal.*
GILES HAWLEY, *Tucson, Arizona*
HENRY BAYER, *Fort Belknap, Texas,*
} *Superintendents.*

JOHN BUTTERFIELD,
President.

Figure 31. Butterfield's instructions to employees.

the *New York Herald* and the first through passenger west.[107] The stage was driven by John Butterfield, Jr., and the other passengers that rode as far as Fort Smith were a Judge Wheeler, T. R. Corbin, and an unidentified lady and her two children. At the other end of the line, the eastbound coach had been on its way since shortly after midnight the day before.

As the coach sped west (Figure 32), meal stops were made twice a day and the men cooked over buffalo chips. On one leg of the trip, having forgotten the coffee, they had only jerked beef, raw onions, slightly wormy crackers, and a bit of bacon for breakfast. Ormsby remarked later that "the stomach, however, does not long remain delicate after a few days of life on the plains, and our breakfast was quite acceptable to me."[108]

They met the first eastbound Butterfield coach about 100 miles east of El Paso, and Ormsby was temporarily relieved when, on reaching El Paso, the team was changed from mules to a "good team of California horses."[109] They pulled out of El Paso at 40 minutes after five on the morning of September 30. Ormsby recorded that the Rio Grande at the crossing between Fort Fillmore and Mesilla was "but an insignificant puddle" and that a few miles below El Paso the river had changed its channel and added several towns to the American territory.[110] He also made some derogatory comments about the people of Mesilla.

Ormsby's luck failed to hold, and at Picacho he got mules again and "started on a dreary ride of 52 miles for Cooke's Spring."[111] He walked almost the entire two miles of Picacho Pass, noting that it had some very bad hills. He commented that if indeed Leach had improved the road, it must have been pretty terrible at the start. He also noted that the Overland Company used very little of the improved route between El Paso and Yuma. After a short stop to change teams at Cooke's Spring, where the station consisted only of a tent at that time, they left at one-half hour past midnight October 1, slightly less than 19 hours out of El Paso.[112] Under a waning half-moon, they hurried down the slope and across the flats near the spring, crossed the arroyo, passed John Chaffin's quiet grave, and headed for the dark mouth of Cooke's Canyon, a scant half-mile away. A few miles farther on they met the second eastbound coach.

They had been nearly 43 hours behind schedule on reaching El Paso, but by making an average of over 5 1/2 miles per hour (not 9 miles per hour as erroneously reported initially by Ormsby or the 6 1/2 as corrected in his report on October 13, 1858), they had reduced this deficit to 32 1/2 hours by the time they reached Tucson on October 2.[113] By half past seven in the morning of October 10, the westbound coach reached San Francisco, making the run in less than the 25 days required by contract. Ormsby, in reporting this feat, noted that the passage had been made in 23 days, 23 1/2 hours. He acknowledged the need to adjust this to account for the two-hour time difference between St. Louis and San Francisco, but failed to do so. The correct elapsed time of the first east-west run was 24 days, 1 1/2 hours, one hour ahead of the published schedule.[114]

In commenting on his experience, Ormsby noted that the employees on the line had been courteous, civil, and attentive; most of them were from the east and many, especially the drivers, were from New York State. He also recorded that he thought the government, instead of concentrating troops at the forts, should distribute them along the stage line. They could protect the stations and be more responsive to any emergency by providing a wall beyond which the Indians would not be allowed to pass.[115]

Figure 32. New Mexico stagecoach. Photo courtesy of the Museum of New Mexico , #11934.

Another through passenger that made a complete report of his experiences was G. Bailey,

a special agent for the Postmaster General. He had traveled to San Francisco via steamer, leaving New York on July 6 and arriving in California on July 26, 1858. He returned on the first stage dispatched east, which left the plaza a few minutes past midnight on September 15. He arrived in Tipton, Missouri, at five minutes after nine on the morning of October 9. The mail continued to St. Louis by train, arriving there at a quarter till nine that night. The elapsed time, after the 2-hour 9-minute difference was accounted for, was 24 days, 18 hours, 26 minutes.[116]

Bailey noted that the total distance far exceeded that specified in the contract with the Overland Mail Company and the route varied materially from the specification. However, he argued that the necessity of obtaining water and avoiding Indians made such modifications necessary. He praised the line for its performance and closed his report noting:

> *Whether this success is to be permanent; whether this great artery between the Atlantic and Pacific states is to pulsate regularly and uninterruptedly, does not, however, depend entirely upon the Overland Mail Company. They have conquered the natural difficulties of the route, but they have yet to encounter an enemy with whom they cannot successfully cope unaided. I refer, of course, to the tribes of hostile Indians through whose territory they necessarily pass. Their stations in Arizona are at the mercy of the Apache, and the Comanche may, at his pleasure, bar their passage through Texas.*[117]

John Butterfield met the coach at Tipton and escorted the mail to St. Louis. He cabled President Buchanan: "Sir – The overland mail arrived to-day [sic] at St. Louis from San Francisco in twenty-three days and four hours. The stage brought through six passengers."[118] To this momentous announcement the President cabled his reply:

> *Sir – Your dispatch has been received. I congratulate you upon the result. It is a glorious triumph for civilization and the Union. Settlements will soon follow the course of the road, and the East and West will be bound together by a chain of living Americans which can never be broken.*[119]

Other congratulations were heaped on John Butterfield's efforts. *Harper's Weekly* observed that California was no longer a colony of the east, and the *London Times* noted that the opening of the route would provide better access to a vast territory for European immigration.[120] Furthermore, the arrival of Ormsby in San Francisco made the California newspaper editors realize they had been euchered. The *San Francisco Daily Evening Bulletin* editorialized that the feat had been an eastern tabloid's "unworthy trick," but sent one of its own reporters (later identified as a man named Baer) east 12 days later (October 22) but disdained to publicly name the correspondent.[121]

When Baer's stage had progressed nearly to the Mimbres River, it passed a camp of 100 Indians of which about 30 were warriors. No problems ensued, however, and he remarked:

> *The Apaches not attacking the stage, when they had the passengers so absolutely in their power, seems to confirm the promise of Mangus, their chief, that the mules, stages or stations of the Overland Mail Company should not in any way be molested by his nation. How long this state of things may last, it would be useless for me to conjecture, but, for the present, the incident related above may be taken as evincing a peaceful intent.*[122]

Baer passed through Cooke's Canyon on November 12, 1858, and the following day crossed the Rio Grande below Mesilla, noting that it was only one to three feet deep.

Several theories have been advanced for the peace held by Mangas Coloradas and Cochise in allowing the "swift wagons" to penetrate their territory without incident, except for a few isolated instances when stations were relieved of what the Indians considered "excess" stock. One source claimed that the reason the Indians did not molest the stage line was that John Butterfield furnished them more than $10,000 worth of beef every year.[123] Another author credited Steck, the agent for the Mimbres Apaches, with having negotiated with Cochise, leader of the Chiricahuas, for safe passage for the coaches.[124] There is evidence that a conference took place with the Chiricahuas in December of 1858 near Apache Pass.

Agent Steck supposedly exacted a promise that

they would not molest travelers along the route. In addition, Cochise and his band allegedly took a contract with a Mr. Wallace, the Butterfield agent there, to furnish firewood for the Apache pass station.[125] Whatever the reason, the Overland Mail Company continued to operate until early 1861 without any major problem with the Apaches. There were also no incidents with bandits, at least partially because the Butterfield line adhered strictly to the stockholder rule of not carrying any shipments of gold or silver.[126]

The absence of Indian attacks and robberies did not, however, leave the passengers without something to complain about in the operation of the line. Baer reported that the passengers he traveled with lost a total of 12 hats on the trip. He also noted that one should determine who his fellow passengers were going to be, because this had a considerable impact on the pleasantness of the trip.[127] An unnamed merchant, who was a few days ahead of Baer, complained that the 42-inch-wide seats were not wide enough, at 14 inches per person, for 3 people to share. Complaints must not have been too bad though, for in about a month (January 11, 1859), the company raised the eastbound fare from $100 to $200.[128]

There sometimes were unavoidable passenger delays due to inclement weather or equipment failure. However, on these occasions, the mail was not allowed to be delayed; it was forwarded by means of special light wagons or hacks or carried horseback by individual riders.[129]

As the months passed and the reputation of the Overland Mail Company grew, people in every area wanted it to be their line. In Missouri it was called "The Great Southern Overland," and in California it was "The California Overland Express." Most easterners just called it "The Butterfield Line."[130] The name "Overland" became the word of the day; one bought flat-crowned "Overland hats," "Overland ponies," leather "Overland boots," long yellow linen "Overland coats," "Overland chickens," and even "Overland eggs."[131] The line was a success, but the effort apparently sapped John Butterfield's strength. In April 1860, nearly 60 years old, he resigned as president of the company because of a physical breakdown.[132]

Even without Butterfield at the helm, the company continued to operate successfully, and there were still no serious incidents directly affecting the line. However, in November of 1860 a fight broke out at a big party at the mines near Pinos Altos in which one of the participants and an innocent bystander were killed and a number of people wounded. A man named Harrington attempted to kill George Caldwell, a gambler by reputation, but John W. "Jack" Swilling took away his pistol, whereupon Harrington grabbed another from Henry Clay "Hank" Smith. Caldwell tried to avoid Harrington by hiding behind Smith, but a shot between Smith's legs shattered Caldwell's right knee. Harrington was killed before he could finish the job.[133]

The Sheriff of Dona Ana County was notified, and with ten deputies and a commandeered stagecoach, he proceeded through Cooke's Canyon to Pinos Altos intending to arrest the participants. Bill Dick (or Dyke), the superintendent of the Overland Mail, and five of his "fighting men" followed in another coach. Dick became involved in an argument with one of his former drivers, Will Taylor, and as a result, two more died including Dick. Taylor suffered a gun-shot broken leg, and he and a man named Hampton were later banished for their involvement in the incident.[134]

Except for occasional extracurricular activities such as these, things remained calm, and passengers continued to record impressions of their stagecoach journeys. In the following month of June, William Tallack, an Englishman returning to Europe by way of the United States after visiting Australia, purchased a ticket in San Francisco.[135] He had opted for the overland route because he believed it would be a bad time of year to travel so far south on the steamship lines, even though he recorded that "not one in a hundred" went east by stage.[136] It is clear from his record that he was also seeking adventure.

After waiting 10 days for an available seat, Tallack left San Francisco on June 14, 1860. The coach was loaded with nine passengers, and despite his taste for adventure, there were no incidents, and his only comment about Cooke's Spring was to note that they made it from there to the Goodsight Station in 61 minutes, using four mules. He did have a comment about the station masters in general and remarked that they were "armed to the teeth, with revolvers and bowie knives, and [had] a stand of rifles indoors."[137]

There must have been heavy summer rains, because when Tallack reached the river crossing between Mesilla and Fort Fillmore, the Rio Grande,

which had been nearly dry when Ormsby crossed it, was 400 feet wide, 12 feet deep, and flowing rapidly.[138] Farther on his way across New Mexico Territory, Tallack recorded that the food "consists of bread, tea, and fried steaks of bacon, venison, antelope, or mule flesh – the latter tough enough. Milk, butter and vegetables can be met with towards the two ends of the route."[139]

The food furnished on the Overland Mail Company route must have been more than acceptable to some, however, for a man identified only as Mr. Dana reported that he had gained eight pounds on the trip and that it was a pleasure trip compared with the isthmus-steamer route.[140] Many people must have agreed with Mr. Dana, because by June 30, 1859, there were at least six different routes for conveying the mails to and from California.[141]

Henry "Hank" Smith, a cattle drover, gold miner, and later a Confederate soldier, recorded that the Indian attacks against Pinos Altos started in September of 1860 when the Overland station at Mimbres was burned. This does not agree chronologically with accounts of Butterfield's and Giddings' operation of their stage lines. Smith recorded his memoirs much later and may have been confused on this, as he has been on other dates.[142] In addition, there are at least two passenger records available that fail to mention any difficulties of this nature.

Raphael Pumpelly purchased a ticket for Tucson and departed from Missouri on October 8, 1860, to fulfill the position of mining engineer at the Santa Rita Mining Company. The coach was overcrowded, and one family made things miserable for everyone. A heavily armed Missourian, described by Pumpelly as a "border bully," was accompanied by his snuff-dipping wife, who covered her clothes with the substance. Their two daughters were continually "seasick" and had little regard for the clothes of their fellow passengers.[143] Every male passenger lost his hat, sometimes even the replacement. Pumpelly and his fellow travelers estimated that there were at least 1,500 hats lost each year in this manner.[144]

The last detailed information recorded by a passenger on the Overland Mail Company line, before the Apaches closed the route, was left by Henry Dwight Barrows. He and his wife left San Francisco late at night on December 17, 1860. They traveled 18 days and 5 hours to reach the eastern stage terminal in Missouri in the early morning of January 5, 1861. They shared the coach with a Lieutenant identified only as McCaul, who was going to Tennessee, and Barrows conjectured that the officer was bound for the Confederate Army.[145]

Barrows recorded that near the site of the Oatman massacre, between Tucson and Fort Yuma, they met a large herd of American cattle bound for California and that at Gila Bend, they saw a dead Apache tied to a tree who had been shot by Station Master Sutton's son during a raid on the station. The Barrows reached Mesilla at dusk on Christmas eve and continued to El Paso, arriving there in the early morning.[146]

Several stories documenting Butterfield's Overland Mail operation noted that a new larger station was constructed closer to the spring. True, other structures were erected at the Cooke's Spring site, but not by either Butterfield or his immediate (albeit temporary) successor, Giddings. Other transportation firms either constructed new stations or utilized existing facilities provided by others, but not prior to mid-summer 1862. On July 4, Lieutenant Colonel Edward E. Eyre noted on passing through the site on his way to the Rio Grande, that the road to Mesilla turned right immediately at the springs and passed "the Overland Mail Station, which is seen on the hill about a half a mile distant."[147]

The Military, the Indians, and Other Citizens

Between the close of the War with Mexico and the commencement of the Civil War, the United States Army conducted 15 official exploratory expeditions within the Territory of New Mexico. The primary purpose of these reconnaissances was to furnish detailed information to the government about the newly acquired area. The expeditions were mostly scientific and provided intelligence about the topography, flora and fauna, and resources, and the engineers attached to these commands charted trails and roads that could be used for military and civilian purposes. The military movements were also intended as demonstrations to impress the Indians with the power of the federal government, and in some instances, to deal out punitive measures.[148]

In conjunction with these objectives, the military

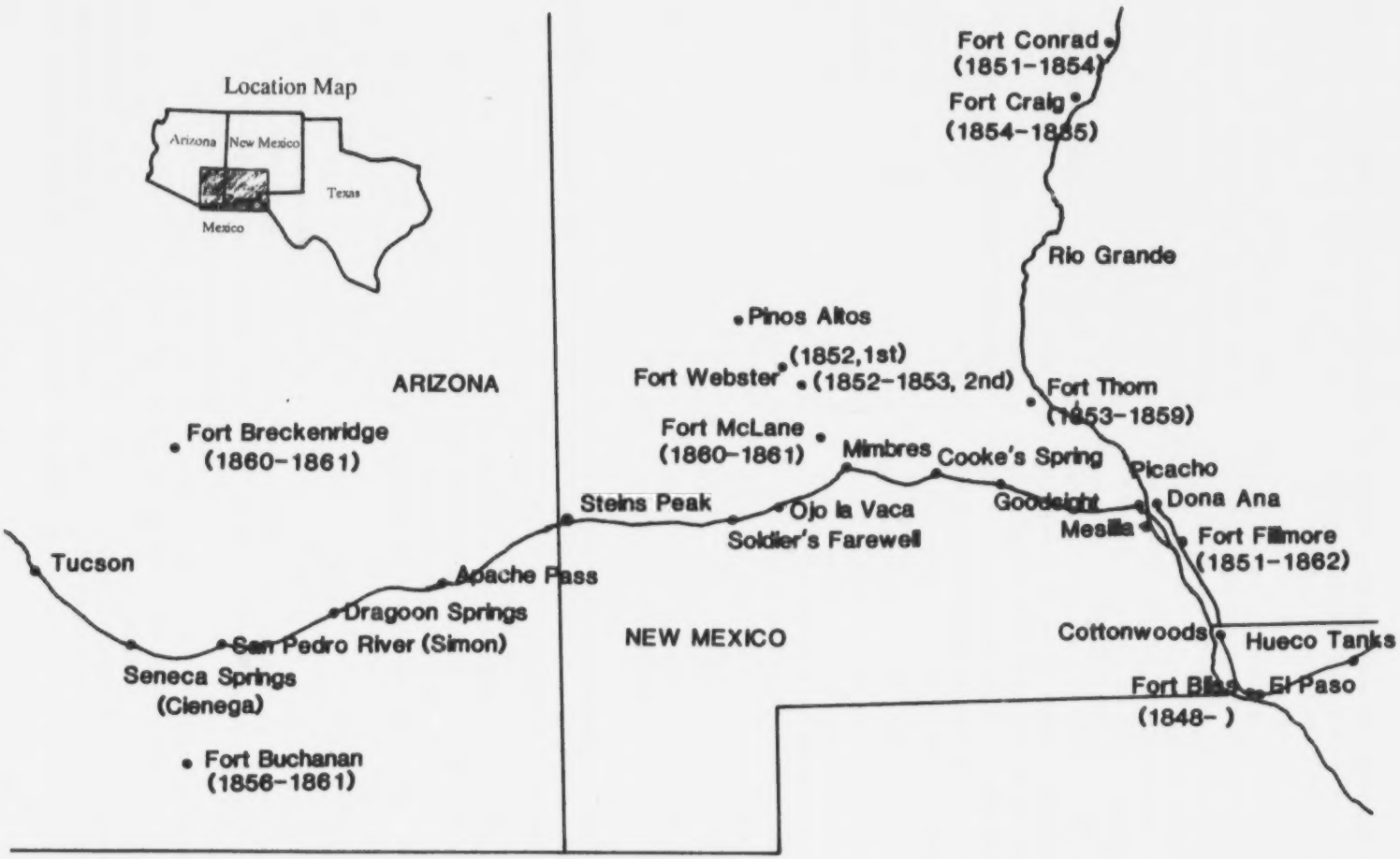


Figure 33. Stage stations and military sites in the Southwest.

established various camps, posts, and forts, and these installations (Figure 33) had to be supplied from the vicinity of the Rio Grande. Supplies for Camp Moore, prior to the military's move to the newly constructed Fort Buchanan closer to Tucson, were shipped to Major Steen out of Fort Thorn. A wagon train with stores for Elias Brevoort, the post sutler, left in November 1856 and was followed in February 1857 by a Quartermaster's train. Also in 1857, Simeon Hart furnished 18 wagons, each drawn by 10 mules, and 35 men to haul supplies from Fort Thorn and Camp Moore. Because there were only a few fighting men among the teamsters, the military was persuaded to supply an escort.[149]

The military department had focused the blame for Navajo Agent Henry L. Dodge's disappearance and was already planning retribution when Dodge's body was discovered in February 1857. As temporary commander in General John Garland's absence, Colonel Benjamin Louis Eulalie "Old Bonny Clabber" de Bonneville conceived a multifaceted expedition against the Mogollons and any other Apaches that got in the way. With the approach of Colonel William Wing Loring from the north, and Lieutenant Colonel Dixon Stansbury Miles (who had assumed command of Fort Thorn June 26, 1856) from the south, the expedition got under way in early May 1857.

Cuchillo Negro, having become a pillar in Steck's rehabilitation program, had the misfortune to get caught in the middle of Colonel Bonneville's sweeping Gila campaign with more than 1,000 stolen sheep. On May 25, one-armed Colonel Loring and his Mounted Riflemen surprised the band and killed half a dozen warriors, including Cuchillo. The Apache's loss, especially under the circumstances, dealt a political setback to Steck's program.

In the latter phase of the campaign, with the only success so far the slaying of Cuchillo by Loring's command, Miles and Bonneville fell on a large camp of Coyotero Apaches along the Gila on June 27. Caught between an arm of Colonel Loring's command led by Captain Ewell and the Miles-Bonneville units, the Apaches suffered 40 killed or wounded against 7 for the army. The Coyoteros apparently deserved what they received because Steck, usually the Indian's champion, turned up evidence that they were responsible for many of the depredations committed on the California Road. The Coyoteros also had been harboring some Mogollons, including the alleged killer of Agent Dodge. This alleged killer, whose actions had triggered the campaign, was apparently the only Mogollon killed in the extensive effort initiated to punish his band.[150]

Fearing more trouble from the Indians, the army continued stocking the military facilities in Arizona, and during the winter of 1857 Hart had between 80 and 90 wagons, each drawn by a dozen oxen and capable of hauling nearly 6,000 pounds, freighting stores to the Tucson area. In fact the posts became so well supplied that Captain Ewell, who commanded Fort Buchanan after Major Steen and half of the Dragoon companies were transferred elsewhere, asked permission to dispose of his excess bacon supply. Even though he had enough for two years, he was told to retain the bacon because it would be difficult to replace and, if properly stored, it would be better, even after a year, than any bacon available from New Mexico.[151]

At the Indian Agency next to Fort Thorn, Agent Steck had no such problems of over-supply. It was during this same period that Dr. Steck was struggling to keep the Indians around his agency from either declaring war on the Whites or suffering extermination from diseases, lack of food, or more direct external influences. On February 7, 1857, Juan Ortega led 30 of the Mesilla Guards (formed about 1851 for protection of that community) in an attack against a small camp of alleged renegade Apaches east of Dona Ana. The men apparently had been drinking heavily and were looking for revenge for previous wrongs. After striking the first camp, the men from Mesilla then attacked a large group of Steck's peaceful Apaches who were attending a fair at Dona Ana. Several people were killed in the unprovoked attack.[152]

Two months later, on April 18, 1857, another group of 36 Mesilla Guards, once more led by Ortega, attacked the Indians farming around Steck's agency, and indiscriminately killed seven men, women, and children. Lieutenant William Henry Wood, who was then in charge of Fort Thorn, rounded up the entire group of Guards and placed them under arrest, rescuing a number of small children who had been taken hostage. The military buried the Indian dead in the rear of the post cemetery, and the men from Mesilla were charged with the murders. They were later acquitted.[153]

The Mexican-Americans at Mesilla were not the only source of trouble for Steck's Apaches. In the

summer of 1856, several Mimbres had visited Janos in Mexico and were thrown in prison as hostages against the return of property allegedly stolen by the Indians. The Apaches, Steck, and Governor Meriwether all failed to win their release, and the relatives and friends that had camped near Janos had returned north by November 1858, physically ill and disillusioned. Steck reported that it appeared the Mexicans had somehow succeeded in poisoning some of the Apaches, probably by means of arsenic-laced whiskey.[154]

Another closely related incident took place in Mexico during the summer of 1858 that would have far reaching consequences. A large group of Apaches had entered Sonora, reportedly to conduct trade at a town near Casas Grandes. While the men were in town, the Mexicans attacked the camp and killed the few guards and many of the women and children. When Mangas Coloradas led the shattered survivors north during the night, a tragic lone warrior trailed far behind. Gothlyka (or Gothlay), later called Geronimo by the Americans, had lost his mother, wife, and three small children. He swore, and would exact, much vengeance for the loss of his family.[155]

In his annual report dated August 6, 1858, Steck praised the friendly attitudes exhibited by the Gila and Mimbres Apaches. He claimed that not a single depredation had transpired on the main road to California and that parties as small as two to five men were now traveling safely from the Rio Grande to Fort Buchanan.[156] Steck's claims may have been reasonably accurate, but there is evidence that times were not as peaceful as he seemed to think.

Previously, on March 8, Captain Alfred Gibbs of the Mounted Rifles was wounded when he and 15 of his men from Fort Fillmore pursued the Apaches who had stolen stock from the New Mexico Deputy Surveyor, John W. Garretson. During the pursuit, toward Cooke's Spring, six Indians were killed, the stock recovered, and much of the Indians' supplies and weapons captured.[157]

The massacre of the E. J. White family of Philadelphia was another incident that may have occurred after Steck filed his report. White, his 25-year-old wife, their baby, and two Mexican servants were attacked between Picacho and Cooke's Spring. White had been appointed post sutler for Fort Buchanan and, anxious to get to his new post, had separated from the train with which they were traveling across Texas. They pushed on ahead in their four-mule ambulance and stopped briefly in Mesilla, accepting the overnight hospitality of Cozzens.[158] White wished to elicit information regarding the condition of the roads, availability of water and forage, and probability of encountering Indians from Cozzens, who had traversed the route from Tucson to Mesilla about two weeks earlier.

White disregarded Cozzens' advice that the journey was far from safe and requested that the information of danger from Indians be withheld from his wife as being "unnecessary and injudicious."[159] Cozzens, with a Dr. Parker, accompanied the Whites until about 3 o'clock the following afternoon. Somewhere on the mesa between Picacho and Cooke's Spring, after Cozzens and Parker turned back, the Apaches killed White and his Mexican manservant and carried off Mrs. White, her child, and their female servant. The two dead men were found about midnight by ranchers from the Mimbres River area on their way to the Rio Grande.

When the ranchers reached Mesilla early the next morning with the bad news, "the great drum" was beaten to summon residents, and a rescue party was quickly formed. The men from Mesilla reached the scene after two and one-half hours of hard riding. Scouts Manuel Antonio Chaves and Jesus Armijo trailed the 15 raiders south from the ambush site toward the Florida Mountains and early the following morning found the Whites' infant lying dead beneath a bush. The rescue party located and attacked the Apache camp late that night. Seven Indians were slain but, during the fray, Mrs. White and her servant were stabbed to death by the few escaping Apaches. The men buried both women in a common unmarked grave in the Florida Mountains and grimly returned to Mesilla.[160]

Nevertheless, on Christmas Day, 1858, Steck left for an extended trip west. He later reported that near Apache Pass he found 600 Apaches (he estimated 50 men, 130 women, and the balance children) living on or near the main emigrant road to California. He reported that they had not committed any acts of violence on the route in about two years and that he distributed a portion of the presents he had carried west for the Coyoteros and other Apaches.[161]

Tevis gave an entirely different version of Steck's distribution of gifts to the Indians at Apache Pass. He claimed that Steck wrote to him that the Agent

was coming with 15 wagonloads of presents, but when Steck arrived he had only 3 wagonloads for distribution among Cochise's Chiricahuas. According to Tevis, Cochise was disappointed and angered at the quantity and quality of the gifts, insulted Steck, and gave the Agent an hour to hitch up and get out of Apache Pass, a task that Steck accomplished in 22 minutes. In view of the Apaches' lack of aggression against the Overland Mail during the next two years, it is probable that Tevis's account is the less accurate of the two.[162]

Again, things were not totally quiet. In early February 1859, Lieutenant Henry Martyn Lazelle and a company of Mounted Riflemen from Fort Bliss had a sharp engagement with some Apaches near Cooke's Spring. It was later reported the Indians were led by Manuelito (of the copper mine confrontation) and Jose de la Luz. Three of Lazelle's men were killed, and he and six other soldiers were wounded, Lazelle seriously. It was reported that the Indians' losses were even greater. The 30 or more warriors were reinforced during the night, however, and the troops had to withdraw.[163]

A few months later in 1859, Brevet Major William Hamilton Gordon of the Third Infantry led an expedition from Fort Fillmore to the Burro Mountains and back. His mission was to select a site for a military post to "overawe" the Apaches. He left on June 27 with more than 100 men and returned to the fort on July 17. It is not clear whether he went through Cooke's Canyon, though this is highly likely. What is important is that, after dividing his command on July 5 and later reforming, he visited the camp of Mangas Coloradas, "where he was cordially received."[164]

Steck's cordial relations with the Mimbres, Gila, and Chiricahua Apaches continued, and he made another journey west in October 1859 with more presents. Steck met about 800 of the Gila band southwest of Stein's Peak. Here he again distributed presents and received three animals from Cochise that had been stolen. The Apache Chief promised that he would watch over the travelers and mail coaches on the southern road to California.[165]

At about this time, "Hank" Smith was detailed by William C. Wordsworth to deliver 1,200 cattle to Fort Bliss on the Rio Grande adjacent to Franklin, by then also called El Paso.[166] Things were quiet with the Apaches, so the commander at Fort Buchanan furnished an escort only as far as Apache Pass, and Smith continued with only 13 men. Contact was made with several different groups of Apaches, but each time the peaceful surrender of a couple of head of cattle precluded any violence. In return Smith claimed that the Indians helped water the cattle.

At Ojo la Vaca, he further claimed that the Apaches provided information about available water along the trail and helped guard the cattle that night. Smith indicated that the band was led by none other than Mangas Coloradas and that they slept at the same camp that night. He paid the Indians $10 for their help and gave Mangas Coloradas's wife a blanket. Smith stopped over one day at Cooke's Spring to rest the stock and then proceeded by way of Picacho to the Rio Grande and down river to the Fort Bliss sutler, Frank R. Diffenderfer, having lost or given away only about 20 cattle.[167]

Other people were also becoming involved in supplying the military stationed in the Southwest. In 1859, William Sullivan Grant sold his shipbuilding business in Maine and joined with Californian Theodore W. Taliafero to form a new company, based in Tucson, to compete with Hart and the firm of Majors, Russell, and Waddell. The new business became operative on March 8, 1860, and underbid other contractors by 12 percent to furnish supplies to Fort Buchanan and Fort Fillmore. Later, Fort Breckenridge and Fort McLane would be added.[168]

After disposing of the cattle at Fort Bliss, Smith bummed around El Paso a few days and then joined a group of miners who supposedly had researched old Spanish records in El Paso and were convinced they knew where to find undeveloped gold sources in the vicinity of the old copper mines. Smith left El Paso for the Pinos Altos Range with 12 to 14 others, led by Jacob Snively. They almost certainly went to the mountains by way of Cooke's Spring.[169]

The prospectors separated into smaller teams and scoured the ridges and streams looking for traces of color. About May 1, 1860, the group composed of Snively, Henry "Three-Fingered" Burch, and James W. Hicks discovered gold in Bear Creek when Burch stopped for a drink of water.[170] The word of the strike spread rapidly, as might be expected, and would-be miners flocked in from everywhere. Within 2 1/2 months at least 1,168 people were living in the area that comprised the Santa Rita copper mine, Hanover copper mine, and Pinos Altos mining district.[171]

Tevis was one of the early miners to join the original group. According to Tevis, he had been commissioned by the provisional Governor, Dr. Lewis S. Owings, to raise a company of Rangers to assist in defending the settlers from Apache depredations.[172] His company was composed of men from the Mesilla Valley, the Mimbres Valley, Tucson, and Sonora. They rendezvoued along the Overland Road at the Mimbres River. The Rangers attacked an Apache rancheria about 25 miles up the river and captured several Indians including a chief named Elias. They held the Apaches at their camp near the Overland crossing of the Mimbres while trying to negotiate a treaty with the tribe. It was at this point that they learned of the new gold discovery in the Pinos Altos Range. The Rangers paroled the Apaches, giving them provisions and tobacco, and proceeded to the new diggings.[173]

"Jack" Swilling was probably among the Rangers who determined that digging for gold was preferable to chasing Apaches. He had fled Gila City (near Yuma) and the comfortable bed of Sarah Bowman (The Great Western) the previous year, following the death of a soldier during an argument over the legal ownership of a Colt repeating rifle.[174]

Anson Mills, oldest of the four Mills brothers, was another one of the men who swarmed to Pinos Altos because of the gold. A dropout from West Point, he had moved to Franklin on May 8, 1858, and had been the surveyor who helped lay out the town of El Paso about six months later. For this two-month task, he received $100 and four lots valued at $50 each. Mills claimed to have suggested the new name for the town.[175] He went to the Pinos Altos mining district with two tasks to perform: the first, to check on the mining activities there for a friend in El Paso; the second, to survey a town site. Mills became involved in the search for gold and worked a claim for a month before he became disillusioned and returned to El Paso.[176]

William Wallace Mills was another of the Mills brothers that claimed to have been at least on the fringe of the mining in the Pinos Altos Range. His older brother, Anson, had sent for him to come to El Paso in late 1858 or early 1859. Mills clerked for about a year in the sutler's store at Fort Fillmore, operated by George Haward and William McGrorty, before moving to the El Paso mercantile company owned by Vincent St. Vrain and Henry J. Cuniffe.

According to Mills he made two trips to a branch store near present-day Silver City. He did not give the reason for the first trip, but indicated he went alone and on horseback. The second journey was as wagonmaster of an outfit carrying merchandise to the branch store. While waiting to return with a load of copper, he claimed to have grubstaked Walter Taylor, Jacob Snively, and another prospector, but indicated no further involvement or restitution.[177]

Agent Steck and the military could see that the development of mining activities within the Apaches' homeland would inevitably cause conflict between the Apaches and the Whites. The army's answer to the problem was to send Major Isaac Lynde of the Seventh Infantry to establish a post in the vicinity. Lynde arrived on September 16, 1860, and selected a site near present-day Hurley, 15 miles south of Santa Rita and 20 miles south of Pinos Altos. He named the installation Fort Webster (the same name as the old forts at the copper mines and on the Mimbres), but the name was changed by the Secretary of War John Buchanan Floyd to Fort McLane for a Captain of the Mounted Rifles who was killed by the Navajos October 13, 1860.[178]

Following the death of their Agent and "brother" Dodge, the Navajos became increasingly restive, and with the war faction gaining an upper hand, began attacking civilians, supply trains, and even military installations during 1860. Indeed, the October 25 *Mesilla Times* reported:

> *A party of Navajos drove off a lot of stock at Fort Thorn but were pursued by a party of Apaches and the stock recovered. However, the 40 some settlers there have abandoned the place [Santa Barbara] and moved to the Mesilla Valley for greater protection.*[179]

Further proof that the local Apaches were still somewhat friendly toward the Americans at this time had been indicated the previous week. The newspaper reported that Agent Steck, assisted by surveyor J. W. Hager (cousin to Robert P. Kelley, who would later become the editor of the *Mesilla Times*), had staked out a reservation for Mangas Coloradas and his people. It was located on the Gila River and included the Santa Lucia Spring.[180]

Major Edward Richard Sprigg Canby was ordered to take to the field and put a stop to the activities. In November 1860, Canby commanded one of three

columns while Major Henry Hopkins Sibley and Captain Lafayette McLaws led the others. This campaign, though not immediately effective, combined with continued harassment of the Navajos, especially the capture of their stock and destruction of their crops, induced the Indians to sue for peace, at least temporarily, early the following year.[181]

In general, however, the Indian situation must not have been too dangerous at the time. In addition to the stage lines operating uncontestedly north, south, and west out of Mesilla, a new line went into operation at least as early as October 18, 1860. An advertisement for the short haul outfit gave all the pertinent facts:

CATLETT'S EXPRESS
FROM MESILLA
to the
PINO ALTO MINES

Via Mowry City and Hot Springs

Will leave Mesilla on Thursdays at 2 o'clock P.M. and will arrive at Burchville on Saturday, at 12 o'clock, laying over at the Hot Springs on Friday night, thus giving an opportunity to passengers to enjoy a wholesome bath at the celebrated Springs.
Returning, will leave Burchville on Monday, at 7 o'clock and arrive at Mesilla on Tuesday, at 2 o'clock P.M.[182]

Indeed, "Governor" Owings took his wife along to visit the gold mines. The miners responded by presenting her with 44 samples of ore from the various gold mines.[183]

Sometime in late 1860, Mangas Coloradas conceived a plan to inveigle the miners into leaving Pinos Altos, which was within the homelands claimed by the Mimbres Apaches. He went to the miners with a story that may have been perfectly true; he claimed to know where much greater quantities of gold might be had. The miners suspected Mangas Coloradas's motives, and a group of them seized him, bound the Apache chief to a tree, and tried unsuccessfully to beat the information out of him. This was a stupid and tragic mistake that would cost many lives on both sides before the Chief was dead and his people subdued.

Mangas had ascended to leadership of his band in about 1837 and strengthened relations with other Apache factions through the marriage of three daughters to other chiefs, including Cochise.[184] He had displayed great diplomacy with the Whites starting at least as early as 1846, when he met on October 19 with Brigadier General Stephen Watts Kearny. According to reports, he swore friendship to the Americans and everlasting hatred for the Mexicans, who were responsible for the deaths of many close to him. Mangas even offered to help the American troops invade the Mexican northern provinces.[185]

In retaliation for the humiliation of Mangas at the hands of the miners, the Indians commanded by him and Cochise made a combined and concerted attack on the miners around Pinos Altos (Figure 34). Samuel G. and Roy Bean, proprietors of the combination store and saloon, allegedly had borrowed a "six-pounder" cannon from the military, and it was used in the battle. The whole area exploded in an uproar, and Hank Smith claimed that Major Lynde did little to help because the miners "had done up [severely injured] several of the soldiers belonging to Fort McLane."[186]

On December 4, 1860, a group of 28 miners from Pinos Altos, with Tevis acting as Captain, attacked the peaceful Indians at old Fort Webster near the copper mines. They killed 4 Indians, wounded several, and captured 15 women and children. The excuse for the attack was the alleged loss of stock by the miners to the Indians, although there was apparently no proof that these particular people, led by Elias, who was one of the fatalities, were involved in any way. Only one of the Rangers was slightly wounded, and Tevis had an arrow lodged in his coat collar. Despite Tevis's objections, the prisoners were turned over to the army. The miners refused to relinquish the stock. Wishing to punish the Indians, they claimed that most of the animals belonged to the miners and ranchers. Initially the Apaches offered to exchange additional stolen stock for their comrades now held by the military. With the aid of other Apaches, however, the prisoners later escaped and killed a few government herders in the process of stealing nearly all the army's riding stock.[187]

Raids and counterattacks followed rapidly and concurrently, with each side trying to inflict maximum punitive damage to the other. The Rangers captured more stock from the Indians but again refused to turn the animals over to the army, who

had not displayed much ability to hang on to things. When the men at Pinos Altos refused to cooperate, the military demanded the return of the cannon.[188] There was much blood already on the ground and many wrongs to avenge, but these acts would seem insignificant in comparison to what would transpire in the ensuing months.

Many of the atrocities would take place within the confines of Cooke's Canyon or Apache Pass farther west or on the road between these two locations. The well-traveled route between the two short narrow canyons was essentially a conduit in that, once someone had entered one end, the use of the other was necessary and therefore predictable. Apache lookouts could easily carry information of movement along the trail to provide more than adequate time to prepare ambushes at either or both strategic bottlenecks. This will be well-evidenced by the attacks on the Overland Mails in early 1861 and the California Column in the scorching hot summer of 1862.

Unfortunately, the Indians were not the only ones generating problems for southwest New Mexico. The miners and settlers proceeded to complicate their predicament with fanatical support of the larger sectional issues that would soon split families and communities as well as the country. Mesilla and the Pinos Altos mining district were hotbeds of southern sympathizers and ardent secessionists. On December 27, 1860, a call was issued for a meeting to be held in Mesilla the first of January for the people of the Territory to consider the propriety of forming a state government and uniting themselves with the southern Confederacy.[189]

Figure 34. Pinos Altos, New Mexico. Photo courtesy of the Museum of New Mexico , #56910.

Endnotes - Chapter 4

1. Warren A. Beck and Yenez D. Hasse, *Historical Atlas of New Mexico* (Norman: University of Oklahoma Press, 1969) p. 34 (hereafter cited as Beck and Hasse, *Historical Atlas*). The roads charted by the Army made use of natural passes through the mountains or existing fords across streams; therefore it was anticipated that these roads would be flanked later by railroad lines and modern highways.

2. Oscar Osborn Winther, *Via Western Express & Stagecoach* (Lincoln: University of Nebraska Press, 1968), p. 99 (hereafter cited as Winther, *Western Express*). California gold production was in full swing and exceeded $70 million in 1857, a level that would be sustained until the Civil War.

3. Jack Lee Cross, "Wagon Roads Across New Mexico, 1846-1860," *Password*, Vol. 7 (Winter, 1962), pp. 24-25.

4. William Turrentine Jackson, *Wagon Roads West: A Study of Federal Road Surveys and Construction in the Trans-Mississippi West, 1846-1869* (New Haven: Yale University Press, 1965), pp. 172-173 (hereafter cited as Jackson, *Wagon Roads*).

5. *Ibid.*, p. 325.

6. *Ibid.*, p. 176.

7. *Ibid.*, pp. 177, 221.

8. Albert H. Campbell, *Report Upon the Pacific Wagon Roads* (Fairfield, Washington: Ye Galleon Press, 1969), p. 9 (hereafter cited as Campbell, *Report*).

9. Jackson, *Wagon Roads*, pp. 178-179, 227.

10. *Ibid.*, pp. 220-223.

11. *Ibid.*, pp. 178, 222.

12. *Ibid.*, p. 223. Jackson erroneously calculated 104 days.

13. Averam Burton Bender, "A Study of Mescalero Apache Indians, 1846- 1880," *American Indian Ethnohistory: Indians of the Southwest*, Vol. 11, edited by and compiled by David Agee Horr (New York: Garland Publishing, Inc., 1974), p. 73 (hereafter cited as Bender, "Mescalero Apache").

14. Campbell, *Report*, p. 9.

15. This is substantially the route that the railroad and Interstate 10 follow today.

16. *Senate Reports*, 35th Congress, Second Session, Executive Document 36 (1858), p. 77 (hereafter cited as *Senate Reports*, Executive Document 36, 1858). Perhaps, considering all the lives lost in or near Cooke's Canyon over the next 25 years (some sources claim 400 deaths), the decision not to dig a large well near present day Deming was an unfortunate mistake.

17. *Ibid.*, pp. 80-82.

18. *Ibid.*, p. 87.

19. *Ibid.*, p. 85.

20. *Ibid.*, p. 92; And, according to the *Mesilla Miner*, June 9, 1860, p. 2, Jones was still trying to build the Rio Grande Bridge by enticing subscriptions. This project failed to materialize. According to Charles Leland Sonnichsen, *Pass of the North: Four Centuries on the Rio Grande* (El Paso: Texas Western Press, 1968), pp. 89-91, the Spanish and Mexicans built and periodically rebuilt a bridge at Frontera, from 1797 until 1819. The final structure was 17 feet wide, over 500 feet long, and was supported by 8 caissons. This would have required spans averaging nearly 60 feet, a significant engineering feat considering the size of available trees.

21. Stanley Crocchiola, *The Civil War in New Mexico* (Denver: The World Press, Inc., 1960), p. 107. Jones was a Mesilla merchant and involved in the Fort Fillmore sutler's store; Kelley, a surveyor and entrepreneur, was to become the publisher of the *Mesilla Times*; and Owings was a physician. These three would also be the principals behind a development scheme centered around Mowry City, see *Report of the Mowry City Association, Territory of Arizona, for 1859* (Mesilla, Arizona [New Mexico Territory]: Mowry City Association, 1859, p. 2.

22. *Senate Reports*, Executive Document 36, 1858, p. 87.

23. Jackson, *Wagon Roads*, p. 228.

24. *Ibid.*, pp. 229-230.

25. *Ibid.*, p. 365.

26. *Ibid.*, p. 232. However, no evidence was located that the money was ever paid.

27. Averam Burton Bender, *The March of Empire: Frontier Defense in the Southwest, 1848-1860* (Lawrence: University of Kansas Press, 1952), pp. 69-70.

28. Odie B. Faulk, *Destiny Road* (New York: Oxford University Press, 1973), p. 113 (hereafter cited as Faulk, *Destiny Road*).

29. Robert Walter Frazer, *Forts and Supplies, the Role of the Army in the Economy of the Southwest, 1846-1861* (Albuquerque: University of New Mexico Press, 1983), p. 138 (hereafter cited as Frazer, *Forts and Supplies*).

30. Frank A. Root and William Elsey Connelley, *The Overland Stage to California* (Columbus, Ohio: Long's College Book Company, 1950), pp. 2-3 (hereafter cited as Root and Connelley, *Overland Stage*).

31. H. Wilbur Hoffman, *Sagas of Old Western Travel and Transport* (San Diego: Howell-North Books, 1980), pp. 78-80 (hereafter cited as Hoffman, *Western Travel*); Winther, *Western Express*, p. 100. Birch was replaced as president by James Hayworth.

32. Robert H. Thonhoff, *San Antonio Stage Lines, 1847-1881* (El Paso: Texas Western Press, 1971), pp. 9-10 (hereafter cited as Thonhoff, *Stage Lines*). One of Skillman's drivers was William A. A. "Bigfoot" Wallace, of staging fame in later years. According to Robert Norville Mullin, *Stagecoach Pioneers of the Southwest* (El Paso: Texas Western Press, 1983, p. 4 (hereafter cited as Mullin, *Pioneers*), Skillman's advertisement was prepared in December 1851, but not published until September 1852.

33. *Ibid.*, pp. 14-15. Here John Philip Wilson, *Historical Profile of Southwestern New Mexico*, Report No. 21 (Las Cruces: New Mexico State University, 1975), p. 26 (hereafter cited as Wilson, *Historical Profile*) states that the passenger service was not added until 1853 and that George H. Giddings picked up the contract and provided an escort of three armed men on the run. In William Wallace Mills, *Forty Years at El Paso, 1858-1898*, edited by Rex W. Strickland (El Paso: Carol Hertzog, 1962) p. 20 (hereafter cited as Mills, *Forty Years*), Strickland includes a footnote comment that "The mail service between Santa Fe and El Paso was first furnished by David Wasson as a part of his Santa Fe and San Antonio contract which he assigned to George H. Giddings in 1854." Mullin, *Pioneers*, pp. 6 and 9, indicates that Wasson began operating the line on July 1, 1854, but Giddings took over exactly three months later. The inconsistency of these reports foils further clarification with drover James G. Bell's report that on August 8, 1854, the James cattle drive met the Santa Fe Mail on the road above Dona Ana and that they were traveling without an escort. His observation about the stage bound for El Paso del Norte could fit either Skillman's or Wasson's operation but not Giddings if the transfer had already been made. Whatever the circumstances, by 1856 George Giddings was definitely operating the line.

34. Dorman H. Winfrey, "The Butterfield Overland Mail Trail," *Along the Early Trails of the Southwest* (Austin: The Pemberton Press, 1969), pp. 27-28 (hereafter cited as Winfrey, "Overland Mail Trail"). According to Ralph Moody, *Stagecoach West* (New York: Thomas Y. Crowell Company, 1957), p. 69, an attempt to establish a subsidized mail route to California had been attempted as early as 1851, via Salt Lake City. Indian attacks and winter weather soon terminated the effort.

35. Faulk, *Destiny Road*, p. 88.

36. The new transportation company had been formed by combining the Adams, American, National, and Wells Fargo Express Companies. It was headed by John Butterfield, a veteran stageman and a personal friend of President James Buchanan.

37. Wayne R. Austerman, *Sharps Rifles and Spanish Mules: The San Antonio-El Paso Mail, 1851-1881* (College Station: Texas A & M University Press, 1985), pp. 88-90 (hereafter cited as Austerman, *Sharps Rifles*). The official date of the contract was June 22, but Birch had actually signed the agreement 10 days earlier.

38. The $149,800 per year (later increased to $196,000) was erroneously noted in Thomas W. Duffen (ed.), "Overland Via 'Jackass Mail' In 1858: The Diary of Phocion R. Way," *Arizona and the West*, Vol. 2 (Spring, 1960), part 1, p. 35 (hereafter cited as Duffen, "Overland") as $419,800 per year. The real plum would be handed to John Butterfield in a matter of days.

39. Thonhoff, *Stage Lines*, p. 15. Brown later bulldozed Butterfield into accepting a modification to his contract terms that required the use of much of the same route just awarded to Birch.

40. There is no known relationship between Isaiah Churchill Woods and Leach's assistant, David Churchill Woods.

41. Austerman, *Sharps Rifles*, p. 90-91, 99; Thonhoff, *Stage Lines*, p. 15.

42. Austerman, *Sharps Rifles*, p. 93. In Marjorie Tisdale Wolcott (ed.), *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Marjorie Tisdale Wolcott, 1929), p. 163 (hereafter cited as Wolcott, *Hayes*), Judge Hayes (the forty-niner of previous notation) names the five men and says that James E. Mason and Samuel A. Ames came

through to San Diego and W. L. Baylor, A. W. Beardslee, and W. C. Bengon stopped at Tucson.

43. Austerman, *Sharps Rifles*, pp. 93-94.

44. Walter Prescott Webb and H. Baily Carroll (eds.), *The Handbook of Texas*, Vol. 2 (Austin: The Texas State Historical Association, 1952), p. 545 (hereafter cited as Webb and Carroll, *Handbook*). Some sources state "near El Paso" while others place the contact point at Fort Fillmore or Cooke's Spring.

45. Austerman, *Sharps Rifles*, p. 104.

46. Wolcott, *Hayes*, p. 156. Austerman, *Sharps Rifles*, p. 99, quoting Woods' report to the Postmaster General, contends that Doyle was unable to dispatch the first eastbound mail until August 9. However, on page 97 the author claimed that Woods, in command of a supply train that departed Bexar on July 31 met the first eastbound mail on August 13 while still in Texas! Therefore, the first person report of Judge Hayes is more compatible with the other evidence.

47. Wolcott, *Hayes*, p. 163. Actually, the 34 days applied to the second dispatch. The first mail sent out on July 9, which arrived with that of July 24, took 15 days longer.

48. *Ibid.*

49. *San Antonio Herald*, August 4, 1857, p. 2; *San Antonio Express*, May 4, 1902, p. 22. Clifford was the first of 44 men Giddings would lose in the next 4 years and the mule herd losses would accrue to 1,300 animals in the same time period.

50. The ship had been through a thorough overhaul, boiler repair, and a partial plating of the hull with copper just three months earlier.

51. Edgar A. Haine, *Disaster at Sea* (New York: Cornwall Books, 1983), pp. 110-111 (hereafter cited as Haine, *Disaster*). One source, Hoffman, *Western Travel*, p. 170, claimed the treasure was valued at $8 million. The sunken wreck was located in 1989 by an underwater salvage team, however, and the treasure carried by the steamer was greater than either estimate.

52. Haine, *Disaster*, pp. 110-111. The position of the foundered ship was given as 77 degrees 10 minutes west longitude and 31 degrees 21 minutes north latitude, nearly on the same parallel as El Paso, Texas.

53. Austerman, *Sharps Rifles*, pp. 112-116; Emily Chase Giddings and Emmie [Giddings] Wheatley Mahon, "The Jackass Mail," *Password*, Vol. 2 (Aug., 1957), p. 94 indicated that Birch's widow transferred her interest in the venture to her step-father, Otis H. Kelton.

54. Thonhoff, *Stage Lines*, p. 15; Emmie Giddings Wheatley Mahon and Chester V. Kielman, "George H. Giddings and the San Antonio-San Diego Mail Line," *Southwestern Historical Quarterly*, Vol. 61 (Oct., 1957), p. 234 (hereafter cited as Mahon and Kielman, "George H. Giddings").

55. Austerman, *Sharps Rifles*, p. 121; Anson Mills, *My Story* (Washington: Anson Mills, 1918), pp. 56-57 (hereafter cited as Mills, *My Story*). Francis Marion "Frank" Giddings is most probably also the Dr. Giddings that James Bell, the young Texas drover, lodged with briefly in 1854. Dowell's saloon was also a gambling house, billiard parlor, polling place, the local post office, and served as a meeting place for political strategists. It was located at the junction of El Paso and San Antonio Streets.

56. Austerman, *Sharps Rifles*, p. 121.

57. Martin L. Crimmins, "The Stage Lines of the Southwest," *Frontier Times*, Vol. 18 (June, 1941), p. 419; The *San Antonio Herald*, May 28, 1858, p. 6 displayed an advertisement for passengers on the San Diego-San Antonio line.

58. *San Antonio Herald*, July 20, 1858, p. 1.

59. William Banning and George Hugh Banning, *Six Horses* (New York: The Century Co., 1930), p. 117 (hereafter cited as Banning and Banning, *Six Horses*); Douglas De Veny Martin, *Yuma Crossing* (Albuquerque: University of New Mexico Press, 1954), p. 187 (hereafter cited as Martin, *Yuma Crossing*). When Giddings' stages pulled out of Mesilla they were escorted by a convoy of six armed guards to reduce the probability of Indian attacks.

60. Banning and Banning, *Six Horses*, p. 130. On this issue, sources universally state that the passengers had to ride the **180** miles between Fort Yuma and San Diego on muleback. True, this is the distance between the two points noted in Appendix C and specifically noted in an advertising broadside dated October 1, 1858, in Seymour Dunbar, *A History of Travel in America* (New York: Tudor Publishing Company, 1937), p. 1303. However, a photocopy of an advertisement (dated July 1, 1858) in the October 9, 1858, issue of the *San Antonio Ledger*, (Thonhoff, *Stage Lines*, n.p.) clearly states, twice, that the passengers would be obliged to forego coaches for **100** miles. This is the approximate distance across the Colorado Desert from Fort Yuma

to either the Carrizo Creek station (95 miles) or the Vallecito station (113 miles). Interestingly, 100 miles is almost precisely the distance from the Yuma crossing to Warner's Ranch. Perhaps, following the initiation of Butterfield's operation, Giddings moved all of his rolling stock to the San Antonio to El Paso leg.

61. Duffen, "Overland," part 1, pp. 35-37.

62. William T. Smith was the successor to Coons' holdings on the American side of the river and was killed in a stage accident a year or two later.

63. Duffen, "Overland," part 2, p. 148. This source actually states three weeks. Either Way was mistaken or the editor of his journal misread the information (a 3 for an 8). The shooting must have occurred around the first of April for George Giddings to learn of the incident by mid-April.

64. *Ibid.*, p. 150. This number of six guards accompanying a driver (for a total of seven employees) keeps cropping up and will be recalled in the next chapter.

65. *Ibid.*, pp. 148-152. The government, that Way thought should set Giddings and Doyle straight, Austerman, *Sharps Rifles*, p. 141, was still paying the mail contractors in certificates of indebtedness, at least through the third quarter of 1858. Giddings finally found a New York financier who, at a substantial discount, exchanged the promissory paper for cash.

66. This would indicate that Leach's reservoirs were not yet storing water.

67. Duffen, "Overland," part 2, p. 152.

68. Winfrey, "Overland Mail Trail," p. 27.

69. *San Antonio Herald*, July 20, 1858, p. 1 and subsequent issues.

70. Tevis would also figure in the counter-raids of the Pinos Altos miners against the Apaches, in the Confederate invasion of New Mexico, and as an officer for the South during the Civil War.

71. James Henry Tevis, *Arizona in the '50's* (Albuquerque: University of New Mexico Press, 1954), pp. 13-23 (hereafter cited as Tevis, *Arizona*).

72. *Ibid.*, pp. 24-40, 70-91, 99-100.

73. *Ibid.*, pp. 146-148. This action initiated a blood feud that resulted in Tevis killing Dirty Shirt and Cochise's brother-in-law and Cochise's eventual attempt to do away with Tevis.

74. *Ibid.*, pp. 148-149. Either the transition of the mail route operation from Giddings to Butterfield had been completed by this time, or Daily was one of several drivers who changed employers. Chronology of Tevis's various stories support the former alternative.

75. *Ibid.*, p. 150.

76. *Ibid.*, pp. 168-170.

77. *Ibid.*, pp. 172-184.

78. *Ibid.*, pp. 186-188. According to Tevis, the ranch was burned to the ground by Elder's wife.

79. Mahon and Kielman, "George H. Giddings," p. 235.

80. Webb and Carroll, *Handbook*, p. 545; Mullin, *Pioneers*, p. 19.

81. Thonhoff, *Stage Lines*, p. 16; *Mesilla Times*, June 9, 1860, p. 4.

82. Richard C. Hindley, "On the Trail of Butterfield," *New Mexico*, Vol. 48 (May-June, 1970), p. 32 (hereafter cited as Hindley, "On the Trail").

83. Winther, *Western Express*, 90; Winfrey, "Overland Mail Trail," p. 31. Butterfield's associates included William B. Dinsmore, William G. Fargo, James V. P. Gardner, Marcus L. Kinyon, Alexander Holland, and Hamilton Spencer.

84. Winther, *Western Express*, p. 109.

85. *Ibid.*, p. 89; Root and Connelley, *Overland Stage*, p. 7. One bidder failed to meet specifications and Butterfield's consortium had submitted three. The other five bidders were James E. Birch; James Glover; S. Howell and A. E. Pace; David D. Mitchell, Samuel E. Churchill, William Gilpin, and partners; and James Johnson, Jr., and Joseph Clark.

86. Winfrey, "Overland Mail Trail," p. 29. This was essentially the route west from Santa Fe established by Aubry and Whipple.

87. Root and Connelley, *Overland Stage*, p. 10. The maximum subsidy was to be $300,000 for semimonthly service, $450,000 for weekly, and $600,000 for semiweekly.

88. It may not have been a coincidence that Memphis was Brown's home town.

89. Winfrey, "Overland Mail Trail," pp. 29-30.

90. Root and Connelley, *Overland Stage*, p. 8.

91. William Preston Johnston, *The Life of General Albert Sidney Johnston Embracing His Services in the Armies of the United States, the Republic of Texas, and the Confederate States* (New York: D. Appleton and Company, 1879), pp. 211-215; Frederic L. Paxson, *History of the American Frontier, 1763-1893* (Boston: Houghton Mifflin Company, 1924), p. 462.

92. Banning and Banning, *Six Horses*, pp. 133-134; Root and Connelley, *Overland Stage*, p. 10. Some,

such as Winfrey, "Overland Mail Trail," p. 32, maintain that only 141 stations were established initially, but by the first part of 1859, 200 stations would be in service. In Appendix C, a report filed by the Postmaster General for 1858 lists 147 stations. Harry Sinclair Drago, *Roads to Empire, the Dramatic Conquest of the American West* (New York: Dodd, Mead & Company, 1968), p. 158, claimed that Butterfield had to hire 1,500 men and spend over a million dollars in the year-long preparation.

93. Faulk, *Destiny Road*, p. 95.

94. Wilson, *Historical Profile*, p. 31.

95. Bureau of Land Management, *National Register of Historic Places Inventory-Nomination Form* (Las Cruces: United States Department of the Interior, August 12, 1977), p. 8.

96. Faulk, *Destiny Road*, p. 98.

97. Winfrey, "Overland Mail Trail," p. 34. There is also some evidence that the Apaches may have been contracted to furnish some of the hay and firewood.

98. John Frizzell and Mildred Frizzell, "The Celerity and the Mud Wagon," *Frontier Times*, Vol. 49 (Feb.-Mar., 1975), p. 25 (hereafter cited as Frizzell and Frizzell, "The Celerity"). This innovative vehicle was designed by Stephen Agustus Seymour of the James Goold Coach Company and manufactured at Albany, New York.

99. Faulk, *Destiny Road*, p. 96.

100. William Eugene Hollon, "Great Days of the Overland Stage," *Great Adventures of the Old West*, edited by the Editors of American Heritage (New York: American Heritage Press, 1969), p. 216 (hereafter cited as Hollon, "Great Days"). Some reports as in Frizzell and Frizzell, "The Celerity," pp. 26-27, indicated that the Celerity was a disappointment to the Texas stagemen and that more than half of the 100 ordered may have been canceled before delivery was made. This may be true, because there appears neither to be a successor to the coach, nor is any example known to exist. Whatever its fate, the wagon was the first to incorporate the idea of berths or beds in public conveyances.

101. Faulk, *Destiny Road*, p. 160. William Tallack, in Walter B. Lang, *The First Overland Mail – Butterfield Trail, St. Louis to San Francisco, 1858-1861*, Vol. 1 (East Aurora, New York: Roycrofters, 1940), p. 152 (hereafter cited as Lang, *St. Louis*), noted that if the eastbound and westbound coaches were both close to the station, a race sometimes ensued because there was frequently only one fresh team available and the loser would have only jaded animals for the next leg of the trip.

102. Faulk, *Destiny Road*, p. 98.

103. Winfrey, "Overland Mail Trail," p. 34.

104. Waterman Lilly Ormsby, *The Butterfield Overland Mail* (San Marino: The Huntington Library, 1954), p. 104 (hereafter cited as Ormsby, *Overland Mail*). The stage caught up with Leach's train at Fort Yuma where the road builders were heading for San Diego.

105. Hindley, "On the Trail," p. 33.

106. Winfrey, "Overland Mail Trail," p. 35.

107. Ormsby, *Overland Mail*, pp. 11-12. According to Lang, *St. Louis*, p. 103, the stage-carried mail arrived first.

108. Ormsby, *Overland Mail*, p. 72.

109. *Ibid.*, p. 37. El Paso was the largest Overland Mail Company base on the route, and from 1857 through 1861, the station and stables covered a block at the southeast corner of Overland and South El Paso streets. According to Roscoe Platt Conkling and Margaret B. Conkling, *The Butterfield Overland Mail, 1857-1869*, 2 Vols. (Glendale: A. H. Clark Co., 1947), Vol. 2, p. 61, Bradford Daily was the driver of the first eastbound coach to reach El Paso, just after noon September 27, and the first westbound coach passed through at five in the morning of September 30, with Henry Skillman at the reins.

110. Ormsby, *Overland Mail*, p. 80.

111. *Ibid.*, p. 81.

112. *Ibid.*, pp. 80-82. Ormsby is quite correct; the stage route deviated from Leach's road to maintain contact with water sources. Wilson, *Historical Profile*, p. 32 noted that in May 1859 Colonel Benjamin L. E. Bonneville described the Cooke's Spring stop as "a little hut with four men."

113. Ormsby, *Overland Mail*, p. 60; Lang, *St. Louis*, pp. 82, 110. This was the only leg for which Ormsby made a significant error in his calculations. If one uses Ormsby's elapsed time, and the distance later established by postal agent G. Bailey, riding the first eastbound coach, the correct rate was nearly 5.6 miles per hour.

114. *Ibid.*, p. 61. Ormsby's failure to make the correction was unfortunate, because every source consulted failed to detect the error and repeated it. For complete accuracy, the adjustment should have been two hours nine minutes. See Figure 30 for the timetable information.

115. Lang, *St. Louis*, pp. 84-85; Bureau of the Census, Federal Census Population Schedules, Eighth Census (1860): New Mexico, Micro-copy No. 653, Roll No. 712, pp. 1-65 (hereafter cited as New Mexico Census, 1860). In addition, most of Butterfield's men were in their early or mid twenties.

116. Lang, *St. Louis*, p. 105. "Local" time was just that in most cases. Each town set its clocks at noon when the sun was overhead, or by sundial. This has created many problems for historians, especially in trying to decipher some of the telegraphic communications during the Civil War.

117. *Ibid.*, p. 108.

118. Root and Connelley, *Overland Stage*, p. 13. It is not clear how Butterfield arrived at 23 days and four hours, but special agent Bailey should be believed, because he had no reason to bias the time and knew precisely when the stage left San Francisco and when the train arrived at St. Louis.

119. *Ibid.*

120. Hollon, "Great Days," p. 211.

121. Martin, *Yuma Crossing*, p. 208. The information surfaced anyway. According to Lang, *St. Louis*, pp. 111, 121, the *Daily Alta California*, not to be outdone, had also quietly dispatched a reporter of its own, J. M. Farwell, a week earlier. His reports confirmed that the coaches used lamps to travel at night and that, at least on some portions of the trail, Butterfield used outriders for safety.

122. Walter B. Lang, *The First Overland Mail—Butterfield Trail, San Francisco to Memphis, 1858-1861*, 2 Vols. (East Aurora, New York: Roycrofters, 1940), Vol. 2, p. 33 (hereafter cited as Lang, *Memphis*).

123. Winfrey, "Overland Mail Trail," p. 32.

124. James L. Haley, *Apaches: A History and Culture Portrait* (Garden City: Doubleday & Company, 1981), p. 224; Edward Holland Spicer, *Cycles of Conquest: The Impact of Spain, Mexico, and the United States on the Indians of the Southwest, 1533-1960* (Tucson: The University of Arizona Press, 1962), p. 246 (hereafter cited as Spicer, *Cycles*).

125. Ralph Hedrick Ogle, "Federal Control of the Western Apaches, 1848- 1886," *New Mexico Historical Review*, Vol. 14 (Oct., 1939), pp. 346-352. This is probably either Charles F. Wallace or more likely William Wallace, whom Cochise would torture to death following the Bascom affair in 1861. However, in Tevis, *Arizona*, pp. 91-110, Tevis claims that he was in charge of the Apache Pass station during this period.

126. Hollon, "Great Days," p. 213.

127. Lang, *Memphis*, pp. 42-45. Tallack, in Lang, *St. Louis*, p. 152, also noted that every passenger except him lost at least one hat on the trip.

128. Lang, *Memphis*, pp. 85-86. However, Keith Humphries, "Trail of the Pioneers," *New Mexico*, Vol. 17 (Apr., 1939), p. 11, noted that the eastbound ticket price was reduced to $150 within a short period.

129. Winther, *Western Express*, p. 103.

130. Winfrey, "Overland Mail Trail," p. 29.

131. Banning and Banning, *Six Horses*, p. 146; Hollon, "Great Days," p. 212. Use of the Overland name continues today by organizations such as the Overland Sheepskin Company.

132. Winfrey, "Overland Mail Trail," p. 39.

133. Hattie M. Anderson, "Mining and Indian Fighting in Arizona and New Mexico, 1858-1861: Memoirs of Hank Smith," *The Panhandle—Plains Historical Review*, Vol. 1 (1928), p. 93 (hereafter cited as Anderson, "Mining").

134. *Ibid.*; *San Francisco Herald*, November 20, 1860, p. 3 copying the *Mesilla Times* of November 8. Smith thought the incident took place in May. It is not entirely clear that both coaches belonged to Butterfield's line and not Catlett's or Giddings', but the implication is there. A roster of employees for each of the companies during this period would have been required to resolve the issue conclusively.

135. He paid $150 for a through ticket, so the second fare adjustment had taken place, and the station stop at Mesilla had definitely been placed in service.

136. William Tallack, *The California Overland Express* (Los Angeles: Historical Society of Southern California, 1935), p. 6 (hereafter cited as Tallack, *Overland*); Lang, *St. Louis*, p. 129. Why Lang included Tallack's story (pp. 129-163) in the westbound Volume 1 of his efforts, rather than in the second eastbound collection, is incomprehensible. The same is true for postal agent G. Bailey's report.

137. Tallack, *Overland*, p. 9.

138. *Ibid.*, p. 43. Tallack's record and the New Mexico Census, 1860, pp. 1-65 confirm that by the summer of 1860, the Goodsight and the Rough and Ready Stations between Cooke's Spring and Picacho were in service. The 14 stations (numbered but not otherwise identified) correlate with the Appendix C listing. However, the census records noted

that two stations were abandoned.

139. Lang, *St. Louis*, p. 132. Hoffman, *Western Travel*, p. 88 and many other sources attribute this comment to Ormsby, the young reporter, during his ride west on the first stage. Examination of Ormsby's material failed to reveal this statement.

140. Lang, *St. Louis*, p. 128.

141. Root and Connelley, *Overland Stage*, p. 5. The greatest government subsidy went to the steamship lines, and the total cost to the government for operation over the various routes was nearly $2.2 million per year, whereas the total revenue generated amounted to less than one-sixth of that.

142. Anderson, "Mining," p. 99. Smith was probably recollecting the large scale Indian attack that took place in September the following year.

143. Lang, *Memphis*, p. 54.

144. *Ibid.*, pp. 58-60.

145. *Ibid.*, pp. 64-65. Barrows reported paying $400 in gold for the two tickets, so the waiting list of passengers must have inflated the price again sometime between June 14 and December 17.

146. *Ibid.*, pp. 66-67. This may have been the start of the serious troubles with the Apaches, but there was no indication that any stations had been destroyed or that this was anything but an isolated incident related to continued and increasingly violent confrontations between the Apaches and Sutton.

147. *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, 70 Vols. in 128 parts (Washington: United States War Department, 1880-1901), Series 1, Vol. 50, Part 1, p. 123.

148. Beck and Hasse, *Historical Atlas*, p. 25.

149. Frazer, *Forts and Supplies*, p. 136. The supply along the southern route was an exception, because, unlike most of the other military installations farther north that were served by the firm of Majors, Russell, and Waddell, the posts in New Mexico Territory were supplied by Quartermaster's trains or by Hart.

150. Robert Marshall Utley, *Frontiersmen in Blue: The United States Army and the Indian, 1848-1865* (New York: Macmillan Publishing Company, 1967), pp. 155-157 (hereafter cited as Utley, *Frontiersmen*); Stanley Crocchiola, *The Fort Thorn New Mexico Story* (Pep, Texas: Private Publication, 1965), pp. 9-11.

151. Frazer, *Forts and Supplies*, pp. 137-138.

152. Nona Barrick and Mary Taylor, *The Mesilla Guard, 1851-61* (El Paso: Texas Western Press, 1976), p. 27.

153. *Ibid.*, pp. 31-33.

154. Dan L. Thrapp, *Victorio and the Mimbres Apaches* (Norman: University of Oklahoma Press, 1974), pp. 56-57, (hereafter cited as Thrapp, *Victorio*). That Steck was a physician lends some credibility to his suspicions.

155. Stephen Melvil Barrett (ed.), *Geronimo: His Own Story* (New York: E. P. Dutton & Co., Inc., 1970), pp. 85-88.

156. Thrapp, *Victorio*, pp. 60-61.

157. Bender, "Mescalero Apache," p. 63.

158. Moderate-sized, semienclosed, four-wheel wagons were frequently referred to as ambulances.

159. Samuel Woodworth Cozzens, *The Marvellous [sic] Country; or Three Years in Arizona and New Mexico, the Apaches' Home Comprising a Description of This Wonderful Country, Its Immense Mineral Wealth, Its Magnificent Mountain Scenery, the Ruins of Ancient Towns and Cities Found Therein, with a Complete History of the Apache Tribe, and a Description of the Author's Guide, Cochise, the Great Apache War Chief* (Boston: Shepard and Gill, 1873), pp. 239-240.

160. *Ibid.*, pp. 207-219, 240-251; Marc Simmons, *The Little Lion of the Southwest, a Life of Manuel Antonio Chaves* (Chicago: The Swallow Press, Inc., 1973), pp. 140-145. Cozzens had expressed concern to White about the Apaches because, when he had returned to Mesilla from Tucson, Captain Ewell accompanied him and Cozzens' six wagons as far as Dragoon Springs with 32 men. On the way they had a sharp encounter with Apaches in which two of Ewell's men were killed.

161. Thrapp, *Victorio*, pp. 62-63.

162. Tevis, *Arizona*, pp. 110-114.

163. Bender, "Mescalero Apache," p. 77.

164. Averam Burton Bender, "Government Explorations in the Territory of New Mexico, 1846-1859," *New Mexico Historical Review*, Vol. 9 (Jan., 1934), p. 31. One of the two major incidents that would soon set the Apaches at war was the beating of this Apache chief at the hands of the Pinos Altos gold miners. The date for this incident is not available, and the approximate timing must be determined from circumstantial evidence.

165. Spicer, *Cycles*, p. 246; Thrapp, *Victorio*, p. 65. The second major incident that would succeed in triggering a total war between the Apaches and

anyone else in the Southwest was the army's betrayal of a truce with Cochise and the events precipitated by this action.

166. Oscar Waldo Williams, "An Old Timer's Reminiscences of Grant County, New Mexico," *Password*, Vol. 10 (Summer, 1965), p. 51, footnote 23. According to Williams, Wordsworth was a lawyer and rancher at Tucson. He was a member of the Provisional Government convention in 1860, and was appointed General of the militia, an empty title.

167. Anderson, "Mining," pp. 81-86. In other sources, such as Mills, *Forty Years*, p. 178, this name is spelled Diffendorfer. Frank Diffenderfer was a relative newcomer to Franklin, having arrived in 1857, and it is not clear that any of the Diffenderfers held the sutler's post at Fort Bliss until after the Civil War.

168. Gilbert J. Pedersen, "A Yankee in Arizona: The Misfortunes of William S. Grant, 1860-1861," *The Journal of Arizona History*, Vol. 16 (Summer, 1975), pp. 127-128. By fall, Grant had bought out Taliafero and constructed a large mill near Tucson capable of producing 10 bushels of flour per hour.

169. Anderson, "Mining," pp. 87-89. At the time, the mountain range north of the copper mines was referred to as the Pino Alto Mountains. The time at which the spelling was changed to the present-day Pinos Altos Range is unknown.

170. *Ibid.*; *Mesilla Times*, October 25, 1860, p. 1; Tevis, *Arizona*, pp. 191, 201-202. According to Tevis, Burch was the fugitive murderer of a Colonel Davenport at Rock Island, Illinois, in the early 1840s. If so, he would have been between 14 and 18 years old at the time of the incident. Burchville, present-day Pinos Altos, was named after him.

171. New Mexico Census, 1860. An examination of the census record, and the extreme ruggedness of the area covered makes it probable that there were many persons missed by the census.

172. *Mesilla Miner*, June 9, 1860, p. 1; New Mexico Census, 1860. An extensive article filling most of the front page of the first issue of the Mesilla newspaper covered the "election" of provisional state officials and a copy of the provisional state constitution. Despite the fact that a meeting at Mesilla had adopted such an action, there was no legal basis for it. The census lists Owings as 40, a Physician, and Governor.

173. *Mesilla Miner*, June 9, 1860, p. 1; Tevis, *Arizona*, pp. 188-191. The reason for the discrepancy between Smith's (14) and Tevis's (12) number of prospectors could be attributed to faulty memory, or perhaps not all of the prospectors cared for the isolated wilderness and roving Apaches. Tevis claimed to have built the first house, a crude structure along Bear Creek, large enough to hold 10 to 12 men.

174. John Myers Myers, *I, Jack Swilling* (New York: Hasting House Publishers, 1961), pp. 203-309. Swilling described The Great Western as "good-natured as a cow elephant in a peanut patch," when she was not riled and that she had "the bounce of an earthquake."

175. Mills, *My Story*, pp. 41, 54-55; Thrapp, *Victorio*, p. 67. It is ironic that Mills was, at least for a short period, one of the miners at Pinos Altos, because these men were directly responsible for incurring the extreme hatred of Mangas Coloradas, who was later involved in the death of Mills' younger brother Emmett. Mills would become a noted General in the Civil War and hold the patents on the machine-woven webbed gear that became standard military equipment worldwide.

176. Mills, *My Story*, p. 59. It was not determined when the town of Burchville became known as Pino Alto, present-day Pinos Altos. There also seems to be some confusion among historians as to the original name of Burchville or Birchville. This may be due to there being a town named Birchville on the Overland Mail route, between El Paso and San Antonio, about 25 miles east of San Elizario, and near a town presently named Alamo Alto. Another potential explanation is that Burch's name was misspelled Birch in the New Mexico Census, 1860.

177. *Ibid.*, p. 55; Mills, *Forty Years*, pp. 2-3. The two elder Mills soon sent for a younger brother, Emmett, and the three built a ranch 18 miles above El Paso, near present-day Canutillo, and named it "Los Tres Hermanos." Emmett occupied the ranch, and it was used as a Santa Fe mail station. It is highly probable, therefore, that Emmett was working for George Giddings. In fact, he may never have worked, as some historians claim, for the Butterfield line.

178. *Mesilla Times*, November 1, 1860, p. 2; Thrapp, *Victorio*, p. 68. Between these two names, the fort was briefly called Fort Floyd, most likely after the Secretary of War.

179. *Mesilla Times*, October 25, 1860, p. 3.

180. *Mesilla Times*, October 18, 1860, p. 3.

181. Utley, *Frontiersmen*, pp. 171-173.

182. *Mesilla Times*, October 18, 1860, p. 4.

183. *Mesilla Times*, October 25, 1860, p. 2; *Mesilla Times*, November 1, 1860, p. 2. Despite the published schedule, at least one run to the mines was made in 20 hours. The short haul line soon lost its mail subsidy and instituted a subscription mail service. No information has been located indicating how long the Catlett service survived.

184. Robert Marshall Utley and Wilcomb E. Washburn, *The Indian Wars* (New York: Bonanza Books, 1982), pp. 197-198.

185. Thrapp, *Victorio*, p. 21. Steck had previously reported that the Mimbres Apaches deeply resented the reopening of the Santa Rita mines, not so much that it had been done without their or their Agent's consent, but because the operator and the laborers were from Mexico.

186. Anderson, "Mining," p. 100.

187. *San Francisco Herald*, November 20, 1860, p. 3 copying the *Mesilla Times* of November 8; *San Francisco Herald*, December 27, 1860 p. 3 copying the *Mesilla Times* of December 13; *San Francisco Herald*, January 1, 1861, p. 3, copying the *Mesilla Times* of December 20, 1860; Tevis, *Arizona*, pp. 206-216; Thrapp, *Victorio*, pp. 68-69. Tevis, as in other places, is confused on the time of the event.

188. Anderson, "Mining", p. 115.

189. *Southern News*, January 4, 1861, p. 3 copying the *Mesilla Times* of December 27, 1860.

Chapter 5

The Great Upheaval in the Southwest, 1861-1862

The rising tide of separation between North and South had no difficulty flowing westward. Soon, as in other parts of the country, it was family against family, brother against brother, and sometimes father against son. Many of the settlers and miners in west Texas and southern New Mexico Territory were either transplants from one of the southern states or strongly sympathized with the South. The Civil War shattered all semblance of normalcy in the Southwest, and the Confederacy lost no time in expanding its sphere of influence.

Texans, more successfully repeating Mirabeau Buonaparte Lamar's 1841 invasion of New Mexico, established the southern half of New Mexico Territory as the first (and last) Confederate Territory. Indecisive major battles, clear victories in minor engagements, and local partisan aid led to the high-water mark of the Confederacy in the Southwest, but not for long. Denied the capture of their major target, the key depot for the entire military district, and having lost most of their vital supplies, the Texans were forced to retreat.

Had it not been for the Californians, it is conceivable that the Confederates would have been able to regroup and resupply in the rich Mesilla Valley and retain a foothold on the far west. Soon after the Texans invaded New Mexico, cognizant Union leaders in Washington and on the coast began organizing for another "invasion" of the Territory, albeit of a slightly more friendly nature. The Californians had fought too long and hard to expand political and economic relations with the federal government to be seduced by those who espoused ideas of an independent Republic.

Whether the Apaches understood the fratricidal process that was taking place has been debated many times. Certainly they had reacted similarly during the Mexican Revolution. What is not a debatable issue is that they immediately took advantage of the upheaval to return to their previous ways of livelihood. Of course they had a few ugly incidents to help them decide on their response to the growing intrusion of miners, ranchers, and farmers in their diminishing homelands. Both armies, when in control of the disputed areas, focused much of their attention on the Indians.

Civil Unrest and the Gathering Storm

The initial unrest during this period came primarily from two sources. First, misdirected pressure against Cochise resulted in a violent confrontation leading to multiple grisly deaths on both sides. Cochise, angry and seeking vengeance, coupled with the already insulted Mangas Coloradas, spread havoc across the Southwest. Second, the southern sympathy felt by many of the Anglos in southern New Mexico Territory would take focus and become manifest. Meetings would be held, proclamations issued, unauthorized governments established, and pressure applied, subtle and otherwise, against adherents to the Union and Lincoln.

Despite the cruel beating of Mangas Coloradas at the hands of the Pinos Altos miners, one of the worst humiliations an Apache could suffer, the Indians did not yet seek retribution on everyone. The agreement that Cochise had made regarding the safe conduct of the Butterfield coaches was still honored, and Mangas restricted the expression of his hostilities mostly to the miners. This soon changed drastically.

John Ward, a rancher, lived in the Sonoita Valley about 12 miles from Fort Buchanan with his common-law wife Jesus Martinez, her 2 children, a boy Feliz (12) and a girl Leodora (10), and their daughter Mary (5 months). The boy was supposedly half Apache, sired by an Indian warrior during his

mother's captivity. In October of 1860, an Apache raiding party (probably Coyoteros) scooped up some of Ward's oxen and horses and the boy. Ward tracked the party to the San Pedro River and then went to Fort Buchanan to enlist the aid of the army in securing the return of his property and the boy, mistakenly accusing the Chiricahuas of the deed.[1]

Nothing was done about the incident until February 1, 1861, when Lieutenant Colonel Pitcairn Morrison sent Second Lieutenant George Nicholas Bascom, relatively new to the Southwest and the way of the Indians, and 54 mule-mounted men of the Sixteenth Infantry to implement the recovery. Bascom understood that he was authorized to use whatever means necessary to resolve the situation. On February 4 the troops stopped and watered at the Butterfield station about 700 yards west of the spring in Apache Pass. Bascom told station keeper Charles W. Culver, his assistant, a man named Welch (or Walsh), and driver James F. Wallace that the column was headed for the Rio Grande. The troops then camped beside the stage road in Siphon Canyon about three-fourths of a mile east of the station.[2]

Cochise, at his permanent camp about one-half mile north of the stage station, was aware of Bascom's presence. He and a brother, two nephews, and his wife and two children checked at the station to ascertain the reason for the troops being in the locale and then proceeded to the soldiers' camp.[3] Bascom, unskilled in dealing with the Indians, approached the issue head-on and demanded the return of Ward's stock and the boy. Cochise claimed his people had nothing to do with the raid but offered to find out who had and negotiate the return of Ward's possessions.

Bascom, acting on what he considered direct orders, told Cochise that he and his family would be held hostage until the stock and the boy were returned.[4] Cochise became instantly angry and exploded into action. He cut a gash in the tent wall and escaped in a fusillade of bullets. The others of his party were not so fortunate and were taken prisoner; one of the Apaches was first clubbed with a rifle and then bayoneted in the stomach. The wound did not prove fatal, however, at least not directly.[5]

Cochise apparently thought to better his bargaining position and, on the following day, approached the stage station and again parleyed with the three men there. Suddenly the Apaches seized the Butterfield employees, but all except Wallace fought their way free. Welch made it all the way to the stone corral and vaulted the wall to safety. Culver was not so fortunate and took a bullet in the back just as he reached the station door. The soldiers meanwhile had struck camp in the canyon and returned to the station. The luckless Welch stuck his head over the wall and was killed by a trooper who thought him to be an Indian.

Through either anger or wanting greater bargaining power, Cochise on the same day struck a small wagon train camped farther east in Apache Canyon. He took prisoner the two Americans, identified only as Jordan and Lyons, but killed the eight Mexican drivers. Before setting fire to the wagons, he tied at least two of the hapless victims to the wheels. Armed now with greater leverage, Cochise contacted Bascom on February 6 and offered to exchange Wallace for the Apache's family. Bascom refused, demanding the release of all three of Cochise's pawns. Cochise in turn refused, and negotiations were broken off.[6]

Again Cochise attempted to gain more advantage and made plans to attack both stages due at the station that day. He had his warriors pile stacks of dry grass in the middle of the trail east of the station with the intention of using fire to block the westbound stage. The coach was running ahead of schedule, however, and the occupants removed the minor blockade and arrived at the station at four in the afternoon without incident. The conductor, A. B. Culver, was a brother of the wounded agent. He and Bascom wisely decided to send for help from Tucson and Fort Buchanan.[7]

The eastbound coach was not so fortunate. King Lyons, the driver, was guiding the stage up to the entrance to Apache Pass when the Indians attacked. One of the lead mules was killed, and Lyons received a serious wound in the leg.[8] William Buckley, superintendent for the El Paso-Tucson division, and the passengers cut the mule from the harness, placed Lyons in the coach, and although attacked again, proceeded to make it to the station safely at two the next morning after bypassing a rock barricade and negotiating a partially destroyed bridge.

This was the first recorded attack on a Butterfield coach by the Apaches west of the Rio Grande. The passengers included William S. Grant, a Tucson freighter, and Eighth Infantry Lieutenant John Rogers Cooke, son of Philip St. George Cooke. The

Lieutenant was headed for the east and eventually joined the Confederates to fight against his father.[9]

Again Cochise interfered with the plans of the Americans. It was Buckley's intention to continue east with that stage and passengers, probably with some of the military as an escort, at least through the remainder of the canyon. However, when the stage employees and military herded the mules to the spring for water, the Apaches struck, running off 12 mules belonging to the stage line and 48 to the military, leaving nearly everyone afoot. One Butterfield employee, Moses Guine, was killed, and one soldier was wounded. A dog kept by one of the men at the station was credited with retrieving two of the mules.[10]

Fortunately both couriers made it through the Indian lines, and help would soon be on the way. Bascom's soldier and Culver arrived at Fort Buchanan and Tucson, respectively, on the night of February 8. Initially, only small rescue parties were available.

Apparently Assistant Surgeon Bernard John Dowling Irwin was the only officer available at Fort Buchanan, and he was dispatched with a small escort to bolster Bascom's forces. On the way to Apache Pass, Irwin's patrol encountered some Indians with stolen stock. After a running fight they surprised a small band of Coyotero Apaches and recaptured 2 horses and 13 cattle, and took 3 Indians prisoner. Irwin continued to Apache Pass with his captives, arriving there on the evening of February 10.[11]

Meanwhile William Sanders Oury, the Butterfield agent at Tucson, set out for the scene with four men and a stage and joined up with soldiers patrolling in strength out of Fort Breckenridge. The patrol was led by First Lieutenant Isiah N. Moore, with his Company G of the First Dragoons. He was accompanied by Second Lieutenant Richard S. C. Lord and Company D of the same regiment.[12] Closely following Irwin's arrival at Apache Pass, Moore's column, including the Butterfield men, also arrived.

The appearance of the additional troops bolstered the military forays against the Apaches, but no contact was made. Sometime in this period of several days, Cochise allegedly left a message fastened to a bush, written by Wallace, that the Apache was willing to trade his hostages for those held by the soldiers. Unfortunately, the message was not found until too late.[13]

As a result of the loss of the mules, Buckley and his passengers had to wait until the next stage arrived six days later to continue east. In the meantime a party of emigrants had arrived safely at Apache Springs. On about February 13, this party and the stage ventured eastward with an army escort of eight soldiers. At San Simon station, 8 miles east, the Apaches had stolen 300 sheep, 6 mules, and 3 cattle. In justified fear, they laid over another day at the station until another military escort could be arranged.[14]

The standoff between the Apaches and the soldiers came to an end abruptly after the Americans found Wallace and three others, including a Cherokee, dead and mutilated. The immediate execution of the Apache prisoners was suggested, but Bascom demurred. Irwin claimed that he at first resisted the idea, but after he was persuaded that this action was just, agreed to hang his three prisoners. Moore and Irwin took credit for convincing Bascom to add his three hostages to the impromptu gibbet and both claimed command responsibility for the summary executions carried out on February 18.[15]

Naturally, the blame was fixed by each side on the other party. Bascom, following his return to Fort Buchanan, was favorably cited for his conduct and within three months received his promotion to First Lieutenant.[16] An old Apache, Daklugie, claimed in modern times that Cochise killed Wallace and two others after Bascom had hanged the six Indians.[17] Obviously each side would like to appear as the injured party, but it is unlikely that the military would have made such a move knowing Cochise still held captives. However, it also seems unlikely that Cochise would risk the lives of his family.

Indian attacks, following the Bascom affair at Apache Pass, continued to threaten the operation of the Butterfield Line. Surprisingly it was considered safe for the mail to come through Apache Pass at night, perhaps because the bodies of the six warriors still hung from the trees there, and the Indians' superstitions forced them to avoid the area. This did not prevent them from attacking elsewhere. The station at Seneca Springs, between Apache Pass and Tucson, was abandoned and the Asa McKinzie ranch nearby was burned; but troops scouring the usual mountain haunts of the Apaches found none.[18]

The Indian depredations against the Butterfield route, however, were not the cause of its removal. In the span of a few days, political activities signaled the dismantling of the mail route. On March 2, 1861,

Congress gave Postmaster General Montgomery Blair authority to discontinue the southern route and move the contract to the central route where Butterfield was to resume operation July 1. On March 5 Texas seceded from the Union, and a week later service on route 12,578 was ordered terminated. A provision was made to compensate the Butterfield Line a month's extra pay, $50,000, but after transferring what stock and equipment he could and selling some to George Henry Giddings, the extra money probably did not begin to cover Butterfield's losses to the Indians and confiscations by the Texans.[19]

It took some time to set the wheels in motion to inform the Butterfield Overland Mail Company of the new plans and for them to respond and transfer the operation of the line northward. In early March, about 25 miles east of Tucson, a driver was shot through the body. He was seriously wounded, but was expected to survive. A few days later another stage was attacked by Indians about 25 miles west of Apache Pass. This time, however, two soldiers riding in the stage jumped out and wounded two of the attackers before they fled.[20]

Giddings now saw the possibility of recapturing the mail and passenger business across the western portion of the southern United States. Why the government would move to establish a replacement for the contract transferred north is unclear. However, the fact that Giddings in past years had engaged Blair, now the Postmaster General, as his Washington lobbyist may have had something to do with the decision. In addition to Giddings' new contract to extend his route from El Paso to California, backdated to be effective from April 1, 1861, until June 30, 1865, Blair got Congress to pass a special $70,000 appropriation for back pay.[21]

Naturally, for these favors, the government wanted something in return. Giddings attended a private meeting with President Abraham Lincoln and was secretly sworn in as a member of the cabinet. Over his objections, he was then directed to carry a message to ex-Governor Sam Houston, an act that could have gotten him shot if the ploy were discovered. Lincoln wanted Houston to lead a counterrevolution in Texas. He was offered a general's commission and authority to assume command of all federal troops in the state. Houston declined.[22]

Regardless of the effective date of Giddings' new contract there was some managerial inertia involved in establishing the line west of El Paso, Texas. The Butterfield line, however, had an offsetting momentum to overcome in shutting down its operation. Anthony Elder, the conductor for the Mesilla-Tucson division, reported that in early April the stage was attacked by between 25 and 30 Apaches about 45 miles west of Tucson, and the wounded driver fell from the vehicle. The conductor for that division, William Willis, was asleep inside at the time but managed to climb to the box and take control. When Willis reached Tucson, 16 bullet holes and a large number of arrows were found in the coach. Willis indicated that had the team not been the fastest on the line, and the station a short distance away, he probably would not have made it through.[23]

There was other evidence of Butterfield's continued operation on the line and the pending disruption to some of the employees' personal lives. Antonio Torres, residing at Cooke's Spring, placed the following advertisement in the Mesilla paper: "Pay Up. All those indebted to the undersigned are requested to come forward and pay their indebtedness to enable me to pay my debts."[24] He had been listed in the 1860 census, taken less than eight months previously, as a tailor living at one of the "Overland" stations.[25] Evidently he was trying to settle his financial affairs prior to being transferred out of the area.

Not all of the violence at the time was attributable to the Apaches. Sometime in the week prior to April 13, 1861, four people had been found dead near Magdalena Canyon, about half-way between Mesilla and Cooke's Spring. The victims were William Watts, co-owner of the Hot Springs with A. Kuhne, J. W. Hagar, (surveyor and Pinos Altos sawmill operator), and two unidentified Mexican women, a mother and daughter.

George Milton Frazer, operating his express line between Mesilla and the mining community of Pinos Altos, found the victims beside the road. Apparently a peon had been found hanged in a bosque near Hot Springs, and the Mexicans accused Watts and Hagar of the deed. The attack was supposedly engineered by a man named Guerra, who was later reported killed during the fight.[26] Robert P. Kelley, Hagar's cousin, offered a $500 reward for the murderers, but there was no evidence that it was ever claimed.[27]

As Giddings put things in motion to establish his mail line, another tragic event befell his family. On April 21, John James Giddings arrived in Mesilla to

carry mail toward California. He gathered four other men for the trip, and although few in number, they were heavily armed. They passed through Cooke's Spring on April 28 without incident, but at Stein's Peak they ran into Cochise's ambush. Edward Briggs and Anthony Elder, on the box, were killed in the first volley, and the driverless team ran for a mile and a half before the coach overturned. Giddings, Sam Nealy, and Michael McNeice crawled to cover and fought back before being overrun. Their bodies were never found, so it was assumed that they were captured alive and taken away for torture.[28] George Giddings learned of his brother's death on the same day he got the news of the firing on Fort Sumter.[29]

Elder's old partner in a ranch near Canutillo, James Tevis, got into serious trouble a few days later. Tevis ran several arrastres at Pinos Altos, and he and a new partner kept a ranch near there for mules to accompiish the work of ore reduction.[30] He and two other miners, Alf Delaney and James Speers, went hunting and shot a bear. They became so engrossed in skinning the bear that the Apaches were able to sneak up on them and capture all three. Unfortunately for Tevis, his old enemy Cochise showed up and persuaded the other Indians to turn the captives over to him. Cochise headed for the vicinity of Apache Pass where he could enjoy making Tevis suffer.

During the march, Tevis's companions were tormented unmercifuly, and that night they were tied head down over a slow fire and burned alive. Cochise was apparently not only planning something special for Tevis; he wanted to inflict maximum psychological punishment as weli. For starters Cochise had his men stand Tevis on a bed of hot coals and then pull his smoking boots off along with a lot of the skin from his feet. Tevis was then forced to walk the remaining distance to Stein's Peak. Here most of the Apaches participated in a big tizwin drunk, and Tevis's old Apache friend Esconolea set him free and furnished him a horse. Tevis made it back to Pinos Altos by the second night.[31]

It was also feared that other missing persons might have been killed or captured by the Apaches in the same area. On April 23, two men, Edward Donnelly and Patrick Donaghue, had left the Tanks station with a provision wagon to pick up a load of flour at San Simon station. On the following day, two expressmen, Paige and O'Brian, left the same place, and none of the four had been heard from.

A lieutenant and 16 men were dispatched from Fort McLane to investigate the situation. They met William S. Grant, the army contractor, and members of his train who had fought off an Apache attack 10 miles east of San Simon station. Grant reported killing one Indian and wounding two others. At Stein's Peak Grant found the station burned and two unidentifiable bodies tied head down over burned out fires. Apparently Cochise or his imitators had been engaging in some more grisly entertainment.[32]

Again not all of the shootings and other violence were attributable to the Indians. On May 17 "a difficulty" occurred in Mesilla when three men from Pinos Altos engaged in a shootout on the town streets. Thomas J. Mastin, a miner and lawyer, and George Caldwell exchanged shots, emptying their pistols. John Portell, apparently either a friend of Caldwell or merely caught in the crossfire, fired three rounds at Mastin. Mastin received a flesh wound in the left arm; Caldwell's arm was shattered near the elbow, and it was feared that amputation would be necessary. The edition of the *Mesilla Times* that reported the fight also carried an offer of a $200 reward, placed by Mastin, for anyone who would deliver Portell into the hands of the sheriff for his "wanton and unjustified attack."[33]

The same edition that reported the blazing gun battle on the Mesilla streets noted the initiation of the first through mail from San Antonio to Los Angeles under the new contract of the San Antonio-San Diego Mail Company. The mail was to leave that day, May 17, with "an escort of six picked men [to] accompany them, prepared for any Indian difficulties which may be encountered on this now dangerous route."[34] The mail, cut off for some time, was to run semimonthly.

It was on this same day that the balance of the Butterfield employees pulled out of Mesilla with the remaining company property and headed for California. The substantial caravan included 100 men, 200 animals, and 21 coaches and wagons. Giddings and Henry Skillman followed with 25 men and a herd of his stock to replenish stations along the way. Unfortunately, before the two caravans reached Cooke's Spring, the Apaches relieved the station there of 10 more mules.[35]

The mail coach soon outdistanced the Butterfield and Giddings caravans, and the "six picked men" apparently were not as prepared for "any Indian

difficulties" as some had envisioned. At Stein's Station, Cochise was waiting for them and before long added their lives and weapons to his victory inventory. For these men and his brother's party, Giddings later put in a claim to the government for 13 Colt pistols and 13 Sharps rifles for this station alone.[36]

Cochise was apparently not satisfied with isolated raids against the mail line. He proceeded down the road ahead of the two mail company caravans and systematically destroyed all of the stations but one, leaving more than 30 men dead, forage burned, and at least 6 coaches and much other equipment destroyed. In the process, he procured many Colt revolvers and Sharps breach-loading rifles for his warriors. Giddings and Skillman paused at each station to bury the remains of the men and salvage what little property they could. In about a month, Giddings would be 38 years old; over the past three years he had lost two brothers and more than $200,000 and had accumulated outstanding debts nearly that large.[37]

It was hard to believe that in the midst of all the Indian raids a moderate-sized emigrant train could pass through from California unmolested. Nevertheless, on May 23, ten families with 37 men, 11 wagons, and a herd of 150 head of stock passed through Mesilla for Texas. Two of the families, who were probably secessionists moving back to Texas, decided to locate in the Mesilla Valley.[38]

It was probably the mid-June Giddings mail coach, leaving Mesilla a few days behind schedule, that ran into a severe fight at San Simon on the 27th. A Mr. Jones indicated that six men kept up a running fight with about 40 Apaches for several miles. The Indians were armed with revolvers and Sharps rifles, taken no doubt when they raided and destroyed the stations along the line. Three Apaches were believed to have been killed and three more seriously wounded.[39]

Despite the continued obstacles, Giddings continued to make his mail line work. Under William D. Skillman's supervision, the mail line operated its own ferry at the ford between Mesilla and Fort Fillmore.[40] The service to California remained scheduled for twice a month but was not functioning regularly, if at all. The service to San Antonio and New Orleans, however, operated twice a week. On June 10, 1861, Henry Skillman arrived in Mesilla with the first Giddings' delivery of California mail. The second westbound mail left Mesilla on the 18th, and it was expected that regular trips would now be possible.[41] However, Giddings was informed by the federal government that his contract would end after July 1, 1861, and if he wanted to contract with the Confederacy, he would have to submit a bid to the San Antonio postmaster.[42]

From other reports, it was obvious that the Apache troubles could do nothing but get worse. It was reported that the Chiricahua, Coyotero, and Mimbres Apaches were assembled in great numbers at Fronteras in Sonora, Mexico. They were making peace with the Mexicans and were trading with them.[43] It was a standard procedure for the Apaches to make peace on one side of the border while they waged war on the other.

Giddings' was not the only stage line out of Mesilla that was in trouble. One much smaller outfit, run by C. C. Catlett, was operating between Mesilla and Pinos Altos. It received a severe blow to its operating capital on January 10, 1861, when it lost the government subsidy for mail carried. Despite an established surcharge of 25 cents per letter, imposed on all persons using the service, disaster struck. On July 13, several people, including Thomas J. Mastin, brought suit against the line and attached Catlett's property until he satisfied their claims. However, he continued to operate the line for another month or more.[44]

A few days before the fall of Fort Fillmore, on July 25, 1861, Giddings' West Coast representative, Robert E. Doyle, managed to send a final mail through to Mesilla from San Diego. The stage arrived from the west on July 18 and brought newspapers from Los Angeles and San Francisco with dates as late as June 27. Giddings had just been awarded a new contract, from Texas for the continuation of the semiweekly service between El Paso and San Antonio, and it was his intention to initiate a weekly service between California and Mesilla.[45]

It might have been this same stage that conductor Freeman Thomas outfitted for the return trip. He departed Mesilla July 20 with driver John Portell and five other fighting men to make up the usual seven, in this case a very unlucky number (Figure 35). The escort for the coach consisted of Joseph Roacher (or Roescher), Mat Champion, Robert Aveline (or Avlin), John Wilson, and Emmett Mills.[46] These men were about to bequeath their lives to another bloody page in Overland Mail his-

Figure 35. Stage with mounted guards. Photo courtesy of the Museum of New Mexico, #37629.

tory, their tragic deaths to help name a mountain, and their heroic three day struggle to the creation of at least two major novels.[47] It was unlikely that the 19-year-old Mills was aware that one of his older brothers, William Wallace Mills, had just been taken prisoner by subterfuge, in neutral El Paso del Norte, and lodged in the guardhouse at Fort Bliss.[48]

The mail party made the station at Cooke's Spring without incident, but at daybreak, about one and a half miles through the narrow canyon (about two miles from the spring), they ran headlong into more trouble than even they could handle.[49] The warriors of Mangas Coloradas and Cochise had apparently combined for a big raid, perhaps on Pinos Altos or another small community, and were either passing through or camped in the same canyon. Without room to turn the coach around, the driver's only choice was to turn uphill as far as the team could take them.[50] Dismounting from the coach, they made a dash for the rocks and, while holding the Indians at bay, quickly constructed a low barricade.[51]

Many stories have been written, some plausible and some outlandish, about the next two or three days.[52] The men apparently had a substantial quantity of ammunition for their breech-loading Sharps rifles (these were not metallic cartridge guns, however) and were able to hold the Apaches at bay. Unfortunately, the moon had just turned its fullest that Sunday afternoon, and there was virtually no chance to sneak away in the dark or for any of them to procure water from nearby Frying Pan Spring or Cooke's Spring. It is possible, however, that the moon's illumination aided the embattled Whites to prevent the Apaches from moving closer during the night and mounting a more effective daylight attack. Stories of the finding of a penciled note dated July 23 credit it with providing some information on the progress of the battle. By the time the note was supposedly written, all but two were dead or wounded, and an attempt was going to be made that night to obtain water.[53]

The inevitable outcome of the battle was reported at Mesilla by "an express [rider] from Pino Alto" that passed the scene on July 27.[54] Four of the men's bodies were found within the rock wall, one in front of it, and the remaining two about 50 yards behind the barricade. There is much disagreement on who buried them and when. The most plausible story was that Lieutenant Colonel John Robert Baylor, upon receiving the information, sent George M. Frazer and a detail of 15 men to accomplish the dangerous task. Most primary reports agree that the bodies were buried individually where they were found.[55]

The Freeman Thomas massacre, as it became known, not only sealed the fate of the seven men directly involved, it signaled the beginning of the end for Giddings' mail line between Mesilla and California. Because of the war, service was suspended

August 2, 1861, by order of Congress.[56]

On August 12 Giddings, not yet aware of the Congressional order suspending his contract, again tried to push mail through to California. Henry Skillman left Mesilla with an escort of 13 (or perhaps 15) men of Captain Bethel Coopwood's San Elizario Spy Company under Confederate Second Lieutenant Levi Southerland. It was Skillman's intention to withdraw the stock and men from the line until the Apache situation had calmed down.[57]

At or about the same time, the terminus of the Southern Mail Route from San Antonio was changed from El Paso to Mesilla, and plans were made to resume the leg to California. The California segment, however, could not be reestablished until Confederate troops neutralized the Indians. Giddings must not have had confidence in Lieutenant Colonel Baylor's ability to accomplish this, because his plans called for a delay of about two months.[58] Nevertheless, some mail from the west continued to arrive before all communication by mail coach between Mesilla and California ceased. On August 24, the local paper erroneously announced that the western mail had arrived on Friday the 19th.[59]

Giddings, at this time, was back in San Antonio negotiating for a contract with the Confederate mail service. On August 28, he was awarded route 8,075 that included service to Mesilla and San Diego. As with his previous contract with the federal government, it was to be backdated to April 1.[60] However, there is no evidence that the western division of the mail was ever reestablished. The turmoil created by the Indians apparently caused too many problems, not to mention trying to run a mail line that spanned territory controlled by two governments engaged in Civil War. Giddings claimed in later years that between 1857 and 1861, the Indians killed 44 of his men.[61]

During the first half of 1861 there was violence between the Indians and the Americans, and political fratricide within the latter. In fact, the political turmoil was a contributing factor to the other disturbances. On January 24 a mass meeting was held at Burchville (soon to be renamed Pinos Altos). Many of those attending freely expressed their opinions, and southern rights were fully endorsed.[62] By January 24, the Texas Lone Star flag was flying over Mesilla and Burchville.[63]

In far-away California, Benjamin Ignatius Hayes, the forty-niner from Missouri, had quit the gold fields and become a respected judge. In January and early February he was musing over information reported in the newspapers. At first he thought that the situation looked favorable for the Union but required a compromise he was not certain could be negotiated. About three weeks later he had become much more pessimistic and, in writing his friend Edward M. Samuel, expressed a consideration that many of the Californians harbored in their hearts:

> *The North I consider to be wrong, on the vital issue, and the South is right I think. And still, like yourself. I am for the Union. . . . Who can foretell the fortune of our noble State? Must she fall to the North? Will she go to the South? Shall she stand up proudly – the Pacific Republic! . . . I will not stop to calculate what good company she might easily bring around her in the shape of Oregon and Utah, Arizona, and Sonora, and the 'isles of the sea.*[64]

At the other end of the Southern Emigrant Road, Simeon Hart and others were advocating a similar separation for their state. Hart had been appointed one of the commissioners for the Sovereign and Independent State of Texas by the secession convention held at San Antonio. He wrote the *Mesilla Times* strongly suggesting that a secession convention be held in Mesilla on March 16. This was accomplished, and the attendees were addressed by another appointed commissioner, Philemon Thomas Herbert, and his law partner, V. P. Claude Jones. Under the orchestration of presiding officer James A. Lucas, the attendees voted unanimously to secede, condemning the Republican party, breaking with the Union, and requesting to join the Confederacy.[65] A week later, a similar meeting was held in Tucson.[66]

The delegates to the Mesilla and the earlier Texas secession conventions had many concerns in common regarding the Southwest. If war were to be conducted, the South lacked two necessary factors. There were no major population centers from which to draw manpower, and the South had few industrial complexes capable of manufacturing the required materiel. At least the second of these two conditions could be offset if arms, munitions, and other military paraphernalia could be purchased overseas. This required specie (gold or silver coin) of which the South also had a limited supply. Therefore it looked

like sound policy to induce New Mexico Territory (including Arizona and part of Nevada) and California, where most of the precious metal mining was taking place, to separate from the Union. The fact that this action would force the North to fight on another front and provide the Confederacy a Pacific port were also gains not to be taken lightly.[67]

Prior to the Mesilla meeting, Anson Mills, and his brother William Wallace Mills, both stout defenders of the Union, became embroiled in bitter controversy with various locals over the concept of secession. Public announcements impugning the reputations of each side were posted by the other near the town plaza, present-day Pioneer Park.[68] Anson claimed that threats against his life were made by one of the men for whom he had made the 1859 El Paso survey, John Smith Gillett. When Anson went to vote on the issue, he was accompanied by P. T. Herbert, a staunch secessionist but personal friend. Over Hart's objections, Herbert insisted that Anson be allowed to cast his vote at Ben Dowell's saloon and polling place.[69]

Anson Mills, although closely involved in many of the political happenings in El Paso and southeastern New Mexico Territory, was not a good source of information for events in the Southwest in the 1860s, because he left El Paso on March 9, 1861, with seven other passengers in what they believed to be last Butterfield coach to go through to Missouri. Some, including Mills, were headed for Washington and the North, others to Richmond and the South. The commander at Fort Bliss, Lieutenant Colonel Issac Van Duzer Reeve, had asked Mills to go to Washington to talk with the new Secretary of War, Simon Cameron, and to secure authority for Reeve to take his command and supplies to New Mexico. Mills claimed that men who owed him money would not pay while all of his creditors demanded immediate payment. Consequently, he had difficulty rounding up fare for the coach, and with the 40-pound baggage limit, he was forced to leave nearly everything behind.[70]

With all of the Indian disturbances around, the men of Mesilla sought a way to meet the challenge. On May 10 and 11, meetings were held, and George Frazer was authorized "to raise a company of rangers to chastise the Apaches for their late outrages."[71] Acting on this petition, Frazer mustered the Arizona Rangers with Sherod Hunter as his second in command. Two of the Van Patten brothers, Eugene (Figure 36) and Alfred (probably C. A. Van Patten) also joined the outfit. Even though Sumter had been fired on, and Mesilla was a known hotbed of Southern sympathy, the commander at Fort Fillmore made an offer of ammunition and provisions to the company.[72]

Confederate Invasion and Withdrawal

The agitation within Texas to secede from the Union was creating a great deal of concern and anxiety among the military commanders and troops stationed there. The Departmental Commander General David Emanuel Twiggs was one of the Army's three full brigadiers in 1861. Perhaps he was only creating a smoke-screen when he communicated with Washington, as early as December 27, 1860, requesting what actions he should take and what to do with the public property in the event that Texas seceded from the Union. On January 15, 1861, he asked General Winfield Scott to relieve him from duty as his health was not good and expressed that "All I have is in the South. . . ."[73]

Washington did not respond to Twiggs' appeals, creating a disastrous situation for both. On February 18, after much negotiation with the Texas Committee of Public Safety, Twiggs turned over nearly all of the public property held by federal installations in Texas and agreed to evacuate all the military personnel there via gulf coast ports. Because of this action he would be dismissed from the Army and replaced by one of the remaining two Regular Army brigadier generals, Edwin Vose Sumner.[74] The troops that Twiggs surrendered in Texas comprised 20 percent of the United States Army at the time, and much of the $1.6 million worth of military supplies that he turned over was later used to supply General Henry Hopkins Sibley's (Figure 37) invasion of New Mexico.[75]

The Fort Bliss commander, Lieutenant Colonel Reeve, had no better luck with his appeals to Washington, delivered by Anson Mills, than had Twiggs. Following the directive from Twiggs, Reeve lowered the garrison flag on March 31, turned the facility over to Texas Commissioner James Wiley Magoffin and the public funds to another Commissioner, Simeon Hart, and marched his 134 men east

Figure 36. New Mexico Militia officers. Standing left to right: Lt. Pedregon, Lt. Fountain, Lt. Botello. Sitting left to right: Capt. Eugene Van Patten, Maj. Albert J. Fountain, Capt. Salazar. Photo courtesy of the Museum of New Mexico, #13148.

to voluntary surrender and confinement. Some of the garrison, however, had appealed to be granted discharges from the command and join units of their various native southern states. This was granted by Judge Josiah F. Crosby of El Paso. Along the way Reeve's column was joined by the garrisons from Forts Quitman and Davis.[76]

Had Reeve superseded his authority and either remained in Fort Bliss or joined with the troops at Fort Fillmore, the Confederate invasion of New Mexico may have never gotten under way. The garrison at Fort Bliss had considerable military supplies of all descriptions. The first contingent of Confederate troops, under Lieutenant Colonel Baylor, advanced on El Paso in small units because of lack of water and forage along the route. In addition, they were depending on receiving much of their supplies at Fort Bliss upon the completion of their march to El Paso. If Reeve had remained at Fort Bliss or removed his stores and marched 35 miles upriver to bolster Fort Fillmore, it would have been difficult if not impossible for Baylor to have gained a toehold in southern New Mexico and wait for Sibley to reinforce him. The Southwest would have several military facilities abandoned and new ones established during the Civil War (Figure 38).

Reeve was not the only officer faced with difficult decisions. Union officers in New Mexico had been resigning their commissions since December 1860. Men such as James Longstreet, Dabney Herndon Maury, Richard Stoddert Ewell, and Joseph Wheeler would soon add their names to the list of important Confederate commanders.[77] Colonel William Wing Loring, who was in charge of the Department of New Mexico, and Major Henry Hopkins Sibley tendered their resignations on May 13. Sibley left almost immediately for El Paso, but Loring had to wait until June 11 to be relieved by Colonel Edward Richard Sprigg Canby (Figure 39) before he could honorably join the South. Sibley later wrote Loring on June 12 that he regretted not bringing all of his command out with him and urged Loring to act in a more prudent manner. He was too late; Loring had already left.[78]

Many of the states held a stronger appeal to their native sons than did the federal government. Colonel Philip St. George Cooke, however, was one of those to whom the appeal fell on deaf ears. On June 6, 1861, he wrote the *National Intelligencer* in Washington, D. C.:

Figure 37. Henry Hopkins Sibley. Photo courtesy of the Museum of New Mexico, #50541.

> *I have seen the call of the Virginia Convention on all natives of the State in the Army and Navy, and have been the subject of other more pointed appeals. The respect which I owe to the opinions of the citizens of my native State demands of me an answer - an expression of my circumstances and views of duty. . . . I owe Virginia little, my country much . . . and I shall remain under her flag so long as it waves the sign of the National Constitutional Government.*[79]

Thus Cooke remained loyal to the Union. However his only son, John Rogers Cooke, and two of his sons-in-law, James Ewell Brown Stuart and Dr. Charles Brewer, supported the South.[80]

Also in the first part of June, newly promoted Colonel Canby assumed command of the Department of New Mexico under adverse conditions. Many key officers had resigned and gone over to the South, the Navajos were creating some difficulties in the area to the north, the Apaches in the southern part were terrorizing everyone, and Canby was faced with a probable invasion from Texas with troops and officers that might have questionable allegiances.[81]

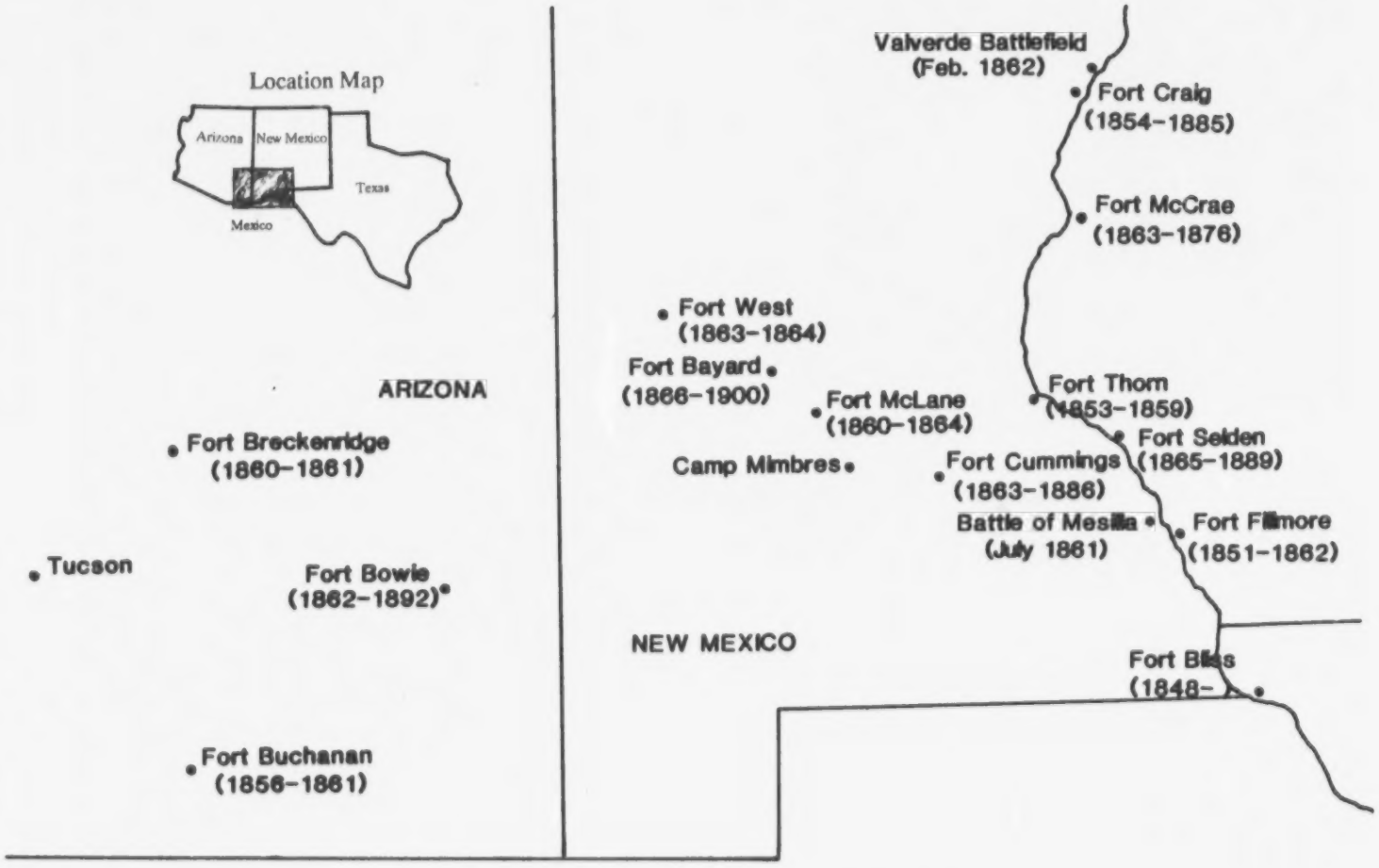


Figure 38. The Southwest during the Civil War.

Figure 39. Edward Richard Sprigg Canby. Photo courtesy of the Museum of New Mexico, #54169.

On June 16, 1861, Colonel Canby ordered Major Isaac Lynde, the commanding officer at Fort McLane, to abandon that fort and remove his command and all public property to Fort Fillmore. Approximately the same time, he ordered the total evacuation of all the garrisons located in present day Arizona.

New Mexico soldiers were threatening to desert and go over to the South if they were not paid more regularly. Fortunately, in mid-June the paymaster, Major Reynolds (probably Robert B.), stopped at Fort Fillmore and made partial payments to the companies stationed there. Actually, there was very little cash disbursed because most payments were made in government drafts and these were not final payments to date. The Mounted Riflemen company was 12 months behind in pay and refused to accept the drafts in payment.[82]

Major Lynde posted orders on June 29 to remove the regimental headquarters, staff, and band from Fort McLane to Fort Fillmore. These units left the following day. The remainder of the garrison followed July 3. On July 5 Major Lynde arrived at Fort Fillmore and relieved Major Gilbert Rene Paul. The four companies of the Second Infantry who made the march through Cooke's Canyon joined the three companies of the same regiment and one of Mounted Rifles already at Fort Fillmore.[83]

There were two important things to note in the publication of the local newspaper at this time. First, although the *Mesilla Times* was vitriolic in its condemnation of the Union, its staff had no difficulty in learning the exact details and timetable of Lynde's movements from Fort McLane to Fort Fillmore. The strength of both garrisons was noted as was the number of wagons sent to transfer the military stores and baggage. Second, the Mounted Riflemen at Fort Fillmore, the only highly mobile force in the area, were nearly afoot. On June 18 seven men had "surrounded" the herders near Fort Fillmore and, after taking them as temporary prisoners, made off with 39 excellent horses.[84] There was some question whether the herders had been party to the raid.

By June 23, 1861, fueled by news from the east and rumors from San Antonio of a Texas column coming to occupy the territory, the *Mesilla Times* editor became more fanatical in his publications. He urged strong support of the South, ouster of the federal troops, and death to anyone who refused to acknowledge the Confederacy, or so reported W. W. Mills in a letter to John S. Watts in Santa Fe.[85]

Within a few days Major Lynde decided that it would be extremely difficult to defend Fort Fillmore, especially because water for the post came from the Rio Grande a mile and a half away. He thought the fort should be abandoned and wrote this to Colonel Canby on July 7 and 9.[86]

In the meantime the Bean brothers, Samuel G. and Roy, had been quite successful in their multifaceted business in Pinos Altos. But support of their and other businesses required supply trains to bring goods from El Paso. By mid-summer the Apaches' disruption of normal travel and commerce had begun to be felt at the mining camp. Food was scarce, and a supply train with eight wagons for the Beans was holed up at Cooke's Spring as the teamsters were afraid to come any further without some sort of escort. Because troops had just been withdrawn from Fort McLane, 20 miners volunteered to escort the train. The Indians tried unsuccessfully to stampede the oxen at the Mimbres River so the miners received enough supplies to hold out at least a little longer.[87]

W. W. Mills had remained in El Paso, functioning as a combined courier and spy for the Union forces.

During June and July he made trips between El Paso and Santa Fe forwarding not only military correspondence but his own strong opinions as well. In mid-July he carried letters to Colonel Canby that included communications from Doctor Michael Steck, the Indian Agent at abandoned Fort Thorn, and Doctor Charles Henry Alden, the Fort Fillmore post surgeon, who were attempting to alert the military hierarchy that some of the Union troops at Fort Bliss and Fort Fillmore could not be counted on. Unfortunately, there were leaks at Santa Fe and Fort Fillmore that made known Mills' activities.[88]

As a direct result, Steck soon fled to Santa Fe, Alden denied his intent, and Mills was in serious trouble. After returning from Santa Fe, Mills was threatened by several officers at Fort Fillmore and was not safe even on the streets of Mesilla. Keiley accosted Mills, calling him a liar and a spy and threatened to strike him. Whereupon Mills pulled his pistol and stuck it in Kelley's chest, thereby bringing the confrontation to an abrupt conclusion.[89]

By this time Lieutenant Colonel Baylor and the advance elements of his Second Regiment Texas Mounted Rifles had arrived at El Paso and taken over Fort Bliss. Attrition along the way had reduced the men Baylor had recruited for "a bear hunt" to about 400. To augment his forces, he soon mustered several existing volunteer groups into the Confederate service. These included Captain Bethel Coopwood's San Elizario Spy [Scout] Company. In August he officially added Mastin's Arizona Guards and Frazer's Arizona Rangers.[90]

Captain Coopwood was one of the citizens who left California to join the Confederacy. He had moved to California in 1854, following his participation in the Mexican War, and was appointed Assistant District Attorney for San Bernardino County. With the approaching secession, he and several fellow sympathizers, including his brothers Ben and Davis, disposed of their California property and left for Texas.[91]

Coopwood and six of his men comprised the group that made the first overt move against the Federal forces in New Mexico by raiding the Fort Fillmore horse herd June 18. Coopwood later turned the horses over to Major Edwin Waller, Jr., for use at Fort Bliss by the Confederates. When Mills returned to Fort Fillmore, Captain William Bartlett Lane complained to him about the loss; Mills treated the incident lightly and joked that perhaps the Captain should turn over the saddles as well because he no longer had a use for them, thereby making Lane angry.[92]

This was not the end of Mills' trouble. He crossed the border to El Paso del Norte to be on neutral ground until the situation cooled off a little but was "arrested" there and shanghaied back across the border by El Paso Sheriff Albert Kuhn and five coconspirators who, according to Mills, were paid $100 by Hart to perform the deed. On or about July 20, Mills was in the Fort Bliss guardhouse facing possible execution for his activities.[93] When Canby heard of Mills' arrest and imprisonment, he arrested William Pelham, the United States Surveyor General of New Mexico, who had resigned his commission and was on his way to join the Confederacy. Canby then sent a note to Baylor stipulating that if Mills were executed, the same fate would be in store for Pelham.[94]

In the western portion of the Territory, Isiah Moore, now a Captain of the First Dragoons and in command of Fort Breckenridge, had received orders on July 3 to evacuate the Territory. He was also ordered to remove as many military supplies as he could and destroy the remainder. Because he was unaware that the same fate had been ordered for Fort Buchanan, he moved 20 wagon-loads of supplies to Tucson, north and a little west of Fort Buchanan, using his and William Grant's transportation to accomplish the task, and stored the supplies in Grant's warehouse. He then loaded everything he could on the combined transportation (12 wagons), and on July 10 Moore abandoned Fort Breckenridge after setting fire to it and the remaining stores.[95]

En route to Fort Buchanan, Moore learned that Captain Gurden Chapin had been ordered to abandon that fort also; therefore, Moore had to alter his plans. He proceeded to Fort Buchanan but ordered his second in command Richard Lord, by now promoted to First Lieutenant, to go to Tucson and retrieve the most valuable supplies from Grant's warehouse and destroy the rest.[96]

At Fort Buchanan the military and civilians had to compete for the available transportation and destroy what could not be hauled away. Captain Chapin had tried unsuccessfully to sell the commissary and quartermaster's stores. Moore traded some of the sugar and coffee to the Mexicans for a few horses and gave some garden implements to the Papago and Pima Indians. Grant was reluctant to haul the

military stores, especially because so many of his own supplies had been destroyed, but finally agreed after Moore guaranteed that he would not lose his train. Grant's reluctance was understandable because on April 3 Secretary of War Cameron had revoked his supply contract to the Arizona and southern New Mexico forts. Before Grant received the news, Texas troops confiscated a supply train of his between Port Lavaca and San Antonio that was valued at $140,000.[97]

The post sutler at Fort Buchanan, Ammi M. White, was faced with a dilemma. Moore had commandeered the available transportation, and lawless desperadoes vowed that they would seize White's stores as soon as the military left. Moore took all the military stores he could in the 40 or more wagons he had assembled and on July 23 put Fort Buchanan to the torch. Reports differ with respect to who set another fire, but White's goods, except for six wagonloads that he was able to have removed, were destroyed with the rest. White remained at Tucson and would be arrested by Captain Hunter in March 1862 for accumulating foodstuffs at the Pima Villages in anticipation of the arrival of Union forces from California.[98]

As Moore was evacuating the Territory he was made aware of Albert Sidney Johnston's party of Confederate sympathizers making their way from California to the South via Cooke's Spring and El Paso, but he could do nothing about it. Moore did, however, send an express rider to Major Lynde at Fort Fillmore regarding this. He indicated that if Lynde saw fit he should detain them, but that in view of the fact that all the officers in the group had awaited the acceptance of their resignations, and being preoccupied with abandonment of the Territory, he could take no personal action at the time.[99]

Moore left the burning Fort Buchanan with the intention of joining Lynde at Fort Fillmore. The progress of the train was not as swift as he had hoped because by the time the train reached the San Simon River 60 men were on the sick report. Moore halted there for three days enabling enough of the men to recover so he could move on. When the column got closer to Cooke's Spring, Moore sent an express rider, Virgil Massie, to Fort Fillmore to communicate the column's progress to Lynde. At Ojo la Vaca Moore's scouts discovered a party of approximately 20 Confederates, dispatched to observe Moore's progress, camped in a valley nearby. The Union troops gave chase but were unable to overtake the Confederates.[100]

Baylor, at Fort Bliss, was unaware that the Union, after consolidating troops from Forts McLane, Breckenridge, and Buchanan at Fort Fillmore, planned to also abandon that post and move upriver to Fort Craig. He mistakenly attributed this build-up of forces at Fort Fillmore as a prelude to an offensive and decided to strike first before he was further outnumbered.[101]

By July 24 Baylor was prepared to attack Fort Fillmore. As he moved into position one of his pickets deserted and warned the fort, thereby precluding any possibility of surprise. Lynde withdrew the two companies garrisoning Santo Tomas and left only a detachment of seven men. Baylor swept them up, along with the stores warehoused there, but released the men, thus furnishing Lynde additional information about the Confederate's position and strength.[102]

Baylor moved to Mesilla, occupied the town, and awaited developments. Lynde sent approximately 380 men under his Adjutant, Edward R. Brooks, against the Confederates and demanded their surrender, which Major Waller and P. T. Herbert refused. The subsequent Federal attack stalled and turned into a retreat. Lynde decided to abandon Fort Fillmore and, fearing that Baylor's forces would cut off any retreat up the Rio Grande toward Fort Craig 100 miles to the north, elected to cross the Organ Mountains to Fort Stanton, more than half again as far and over much more difficult terrain.[103]

The abandonment of Fort Fillmore, in the early morning hours of July 26, 1861, was a lesser debacle for the Union than the First Battle of Bull Run, fought five days earlier, but only because of the number of troops involved and the fact that no one was killed. Lynde attempted to destroy the stores left at the Fort but failed. The organization of the retreat was a failure, and the execution of the plan even worse. Before nightfall, Baylor had captured Lynde's entire command, weapons, supplies, and transportation. The abandonment of Fort Fillmore created a domino effect, and Fort Stanton was also evacuated within a short time.[104]

Not only had Lynde capitulated to an inferior force; his failure cost him his military career and reputation and deprived the Union of men that could have helped defeat the Confederates at Valverde. In addition, he supplied Baylor's troops with

more than 300 head of cattle, tons of supplies, and $9,500 in quartermaster and commissary drafts. Acting quickly, the Confederates were able to cash more than half of the drafts.[105] Baylor had less than a day to gloat over his good fortunes before he received the simultaneous news that General Johnston had arrived from California, that Federal troops evacuating Arizona were nearing Cooke's Spring, and that the Freeman Thomas mail party had been wiped out.[106]

When it became evident that Texas was to become a part of the secession movement, General Albert Sidney Johnston decided to resign his commission. He did so secretly on April 9, 1861, because he did not want to cause undue problems within his California command. After he was replaced by General Sumner on April 25, he and 32 men, including 7 other resigned army officers, made preparations to join the South by way of the southern route. After a delay in Los Angeles, they and others assembled at Warner's ranch. The group, mostly mounted, started eastward on June 27 with four carriages and a pack train.[107]

During their travels across the Colorado Desert of southern California and Arizona, Johnston noted that the veils his wife had sent along were very helpful in keeping off the flies and mosquitoes. He made no mention of the constant pain he experienced as he rode east. His suffering was the result of an old duel wound inflicted by Felix Huston when they quarreled over the right to command the Republic of Texas' army. On Sunday, June 30, the group traveled far into the night because of the heat. They saw a huge comet, as large as Venus, that had a tail 100 arc-degrees long and was sufficiently bright to contribute much of the light for their march that night and the next. They regarded the incident as a good omen.[108]

At Fort Yuma and again at Tucson, Johnston was approached by people who wanted to join forces and attack the Federals. Despite encouragement by some of the younger men (Johnston was 59), he vetoed the ideas on the grounds that they were not yet commissioned in the Confederate Army, and such an attack would be equivalent to piracy at sea.[109]

At Tucson, Johnston and his group learned that the Federals were evacuating the area and destroying their posts in the process. Johnston correctly surmised that the soldiers would proceed east to the Rio Grande over the same road he intended to travel. In fact, he could see a vast column of smoke from the conflagration at Fort Buchanan. Johnston's party left Tucson on July 22 at eight in the morning and, by making forced marches, managed to reach Dragoon Springs, where the road from Fort Buchanan joined the Overland Mail route, ahead of the Federals. At the springs they competed with some Texas Unionists for the water but prevailed with their superior force. Again, some of the men wanted to ambush the withdrawing Federals, cut them off from the water, and force their capitulation. Once more Johnston's cool head and sense of propriety won out, and they continued their journey. It took them only five days to cover the 300 miles from Tucson to Picacho.[110]

Nearing Cooke's Spring, one of the civilians, George W. Gift (or Gill), later reported: "Between Tucson and Mesilla we saw the wrecks of 2 stages which had been robbed, and the guards, drivers, and passengers, some 14 persons, murdered."[111] Similarly, one of the resigned officers, Second Lieutenant Edward Bishop Dudley Riley added in his memoirs that near Cooke's Spring

> *Some buzzards, wheeling about a neighboring cliff, gave evidence that one of those sickening tragedies, so common in Arizona before and since, had been enacted here. I was afterward told that the party was attacked by a large band of Indians; but, having succeeded in reaching a hill near by, they maintained themselves for several days, killing many Indians. . . .*[112]

Johnston's party made the ride from Cooke's Spring to Picacho without camping. At Picacho they learned of Lynde's capitulation and humiliation at the hands of Baylor's Texans. Johnston was anxious to proceed with his journey but could not deny Baylor's request that Johnston take command of the Confederate forces and try to intercept and capture the column coming from Fort Buchanan. Johnston sent George Frazer, "Hank" Smith, and 14 additional Arizona Guards to bury the remains of the Freeman Thomas crew and to observe the approaching Federals. They were to determine which way the Union column went, toward Fort Fillmore or abandoned Fort Thorn, so the Confederates could intercept them.[113]

After burying the mail party, the Arizona Guards'

patrol had proceeded west to determine the progress of the Union column from Forts Buchanan and Breckenridge. They met Moore's messenger Massie on the road, but he convinced them that he was only going to Picacho to visit his parents who lived in that small community. The patrol nearly encountered the Federal column they were looking for and retreated to the hills in an effort to observe Moore's strength and progress. Smith later reported that he thought there were about 4 companies of Infantry, 2 troops of Dragoons, an artillery battery, and about 40 wagons.

The patrol returned to Baylor with the news of Moore's progress and assisted in the construction of a hidden battery at the point where the mail road dropped down from the mesa toward Picacho and the Rio Grande. The Confederates intended to use the artillery to force Moore to capitulate or be destroyed. Smith and some of the patrol then returned to monitor Moore's activities. The marching command must have been living comfortably because Smith reported finding empty champagne bottles and cigar boxes at their campsites.[114]

Moore's Command arrived at Cooke's Spring on August 3 and discovered several fresh trails of the Confederate scouting parties. He decided to camp there and sent four soldiers and a guide to determine what was happening along the river. They returned in an hour, after meeting Massie who had the news of Lynde's surrender and information that Moore's command would be the next probable target for Baylor's Texans. Moore immediately ordered everything burned except for personal arms and enough ammunition, clothing, and food for ten days. The men's private property, Grant's and the government's wagons, and two pieces of artillery were destroyed, or so Moore thought. The Confederates observed the situation from nearby hills, aided by the light of the burning wagons that "made everything as bright as day."[115]

Moore and most of the other officers, including Dr. Irwin and Lieutenant Lord, mounted their mules and proceeded over the mountains to Fort Craig, arriving there August 11. He left Captain Gurden Chapin, Assistant Surgeon Kirtley Ryland, about 6 or 7 sick soldiers, and 16 laundresses with 2 wagons and an escort of 25 men to proceed to Fort Craig, if possible, by the river route.[116]

Apparently the escort deserted the noncombatants when a Confederate patrol approached, because "Hank" Smith, who was a member of the patrol, made no mention of them or of any fight. Smith did note that the sick and the "camp followers" were still at the spring (without supplies) and that the artillery was still partially intact. He correctly surmised that it was Massie, released a few days earlier, who had warned Moore's command. There was an abundance of good food and strong drink left, so the Confederates enjoyed themselves before salvaging what they could and heading back. Johnston, upon learning the news, dispatched 200 men to the San Diego crossing at old Fort Thorn but failed to get there in time to intercept any of the Federals.[117]

On August 1, 1861, Baylor declared himself Governor of the Territory of Confederate Arizona, created by dividing the Union Territory of New Mexico horizontally at the 34th parallel, and proclaimed Mesilla the new Capitol.[118] The company of Mounted Riflemen taken prisoner with the Fort Fillmore garrison were probably equally unimpressed by this proclamation and by General Order number 55, issued 9 days later, changing their official regimental designation from Mounted Riflemen to the Third Cavalry.[119]

After approximately a month of captivity, Mills escaped from Fort Bliss and proceeded to Fort Craig. Colonel Benjamin Stone Roberts offered to either secure him a captain's commission with Kit Carson's (Figure 40) New Mexico Volunteers or to appoint him a first lieutenant on Roberts' staff as an aide-de-camp. Mills chose the latter.[120]

On the other side of the political fence, Mills' Confederate friend, P. T. Herbert, became even more at odds with Hart over his extremist activities. The *Mesilla Times* reported:

> *Cowhiding Affair - A rencontre took place on Tuesday morning, the 20th inst., [August] in the public Plaza of El Paso, between the Hon. P. T. Herbert and Judge Simeon Hart. The former armed with a cow-hide [whip], and the latter with a cudgel of formidable dimensions. The cause of the affair we believe grew out of personal animosity, and an intermeddling on Hart's part. The result was much to Hart's discomfiture, for he not only received a sound thrashing with the Col's. cow-hide, but was severely drubbed about the head and shoulders with his own cudgel.*[121]

Herbert immediately gave up to the authorities and was quickly tried and acquitted for lack of evidence.

Other citizens who were sympathetic with the Confederacy were enjoying a more peaceful life. Sam Bean was appointed to serve as Justice of the Peace for the Fourth Precinct (Mesilla). At approximately the same time, Henry Skillman was selected as the sutler for Confederate Fort Fillmore for a term of three years, replacing another sympathizer, Samuel J. Jones.[122]

All was not quiet, however, as two heavy skirmishes were fought between the Confederates and Federal units from Fort Craig. On September 25, the first engagement occurred at Canada Alamosa and the second, on the following day, near Fort Thorn. Men from both sides were either killed or wounded and several Federals, including Union Captain John H. Minks, were captured. The Confederates were led by Captain Coopwood and Captain Charles L. Pyron. Captain Robert Murry Morris from Fort Craig led an unsuccessful rescue, that resulted in the second fight.[123]

At Pinos Altos the situation was tense because the Apaches had again cut off supplies and carried out attacks on anyone they could despite the best efforts of the Arizona Guards. The Guards had been organized on July 18, 1861, by Thomas J. Mastin, with about 30 men (including "Hank" Smith). On August 8, following the Battle of Mesilla and the capture of Fort Fillmore and its garrison, the unit was mustered into Confederate service for a 12-month period.[124]

Shortly after the Freeman Thomas massacre, probably between July 25 and August 8, the Apaches perpetrated two more attacks within Cooke's Canyon and claimed another 24 American lives. A notable member of the newly formed provisional government was one of several killed in the first attack. William C. Wordsworth, of Sonoita Valley near Tucson and appointed General of the nearly nonexistent militia, was traveling east with his wife and several others of the Ake party to join the Confederates. Near Massacre Peak, the party was attacked by Apaches and Wordsworth was fatally wounded.[125]

Figure 40. Christopher "Kit" Carson. Photo courtesy of the Museum of New Mexico, #9825.

Felix Grundy Ake was familiar with the southern route. He had driven cattle from Arkansas to California in 1849, and in 1853, moved his family there. By 1861, however, they were ranching in the Yuma area. With the outbreak of the Civil War, the Akes and several other families and individuals decided to return to the east, probably to join the Confederacy. One of the members of the party was The Great Western, Sarah Bowman. They were joined along the way by Wordsworth, Sam Houston (a nephew of "the" Sam Houston), "Mose" Carson ("Kit's" brother), and several others. According to Felix's son, Jeff Ake, there were 47 men, 7 women, and 16 children in the group when they left Tucson.[126]

The day before reaching Cooke's Canyon, the caravan was warned by someone who came into the camp from the north, probably Pinos

Altos, that the Apaches had killed nine Mexicans in the Canyon and that the Confederate's had built a rock fort to ambush the Federals. He probably was erroneously describing the Freeman Thomas massacre. The Akes decided that their group was large enough and sufficiently armed to discourage the Indians. They were wrong.

The wagon train and accompanying herds of cattle and sheep had progressed part way through the canyon when the Apaches struck without warning. They managed to circle some of the wagons and most of the people made it inside the impromptu barricade. Many of the women and children had been following the ox-drawn wagons in one pulled by mules and driven by a Black man. At the first sign of attack Houston and the driver managed to turn the wagon around and race toward the Mimbres River and safety, along with five other men. The fight, initiated shortly after sunup, continued until mid-afternoon. The Indians, having also suffered heavy casualties, pulled out with nearly all of the stock. The Apaches had killed or fatally wounded 16 men, burned several wagons, and taken 400 cattle and 900 sheep.

The survivors, of whom only eight of the men were unhurt, seized the chance to escape. They had traveled only about five miles back toward the Mimbres when they met a detachment of Arizona Guards, led by Mastin, from Pinos Altos and the seven men of their party who had initially escaped. They returned to the ambush scene and salvaged what they could, then went with the Guards to Pinos Altos where they remained several days.[127]

"Hank" Smith, Thomas Jefferson Helm, and the bulk of the Guards assumed correctly that the Indians would head for the Florida Mountains and broke off near the Mimbres to try and intercept the Apaches. The following day they had a brief firefight in which Smith claimed they killed eight Indians and recovered about half the stock. They drove the rescued stock back to Cooke's Canyon but did not arrive there until the following day. After watering the stock at the spring, they positioned eight flankers on each side of the drive and proceeded through the canyon. It was a wise precaution because they had hard skirmishes with the Apaches all the way through the canyon. Smith reported seeing the wreck of the train and men bloated beyond recognition, but did not mention burying them. Jeff Ake, on the other hand, claimed the travelers took their dead with them and buried them later. Apache losses were later reported as upward of 50, probably an optimistic estimate.[128]

Closely following the near massacre of the emigrant train in Cooke's Canyon, a second tragedy took place in the saddle below Massacre Peak. Anton Brewer, a butcher from Pinos Altos, had gone to the Rio Grande and was returning through the canyon with about 40 head of cattle and eight Mexican drovers. They had turned the cattle into a small canyon, probably Frying Pan Springs, and Brewer was watching over the stock while the drovers gathered to eat. The Apaches attacked, and Brewer, already mounted and at a distance, was the only one to escape. He made it to the mines without further encounter with the Indians, and about 15 men returned to determine if anything could be salvaged. The relief party found the men lying close together and horribly mutilated. They

> *. . . raked them together with poles as best we could and covered them with rocks as the ground was too rough and rocky to make any graves and not having tools to make them [the graves] with.*[129]

Several days later, the remainder of the Ake emigrant train was escorted safely to Mesilla by the Confederate soldiers. More good news occurred when Major Daniel Hodges Stickney (a Tucson merchant), reported killed in the Ake party fight with the Apaches at Cooke's Canyon, arrived in Mesilla with several arrow and bullet holes in his clothing and an arrow wound in the hip. During the fray he had been roped from his horse by one of the Indians but had managed to cut the rope and escape in the confusion of the fight.[130]

The Arizona Guards' services were soon in dire need back at Pinos Altos because the Apaches continued to stalk the community and to waylay small parties whenever the opportunity was presented. On August 17, four men reached Mesilla from the Pinos Altos mines by traveling at night and avoiding the main road. They brought news that on August 5 six men had left the Hanover copper mines to search for missing stock. Three were found murdered by the Apaches, and the other three were missing, including Jerome Ellsberg of the Ellsberg and Amberg freighting firm. Another 11 men had gone to search for them and had been gone 2 days when the infor-

mant's party left the mines, and it was feared that they may also have fallen prey to the Apaches.[131]

The Arizona Guards returned to the mines area from one of their forays in time to hold Pinos Altos against the Apaches.[132] Approximately 250 Apaches attacked in mass on September 27 at approximately eight in the morning, but Mastin and about 15 men successfully fought off the attack. However, J. B. Corwin was killed in the fray, and around noon Mastin received a wound that damaged an artery in his arm (he seemed to have trouble keeping his arms out of harm's way in a fire-fight). A group of 25 miners (probably including some of the Guards) finally made their way through the Apaches to Mesilla for reinforcements and a doctor but did not return until five days later.[133] It was too late, and Mastin died on October 7, 1861, at four in the afternoon. His ranching partner Helm assumed command of the guards and continued the fight against the Apaches.[134]

The group of miners who returned with the doctor for Mastin must have barely missed being caught by the Apaches. On October 2, 20 men from Mesilla and 12 from Picacho had left to assist the citizens of Pinos Altos against the attacks.[135] An express rider made it through to Mesilla on October 8, after having one horse shot out from under him. He brought the news that Pinos Altos and the copper mines were again under siege and that several large wagon trains between the two points were under attack. The men from Mesilla and Picacho who had left to aid Pinos Altos were bottled up, probably at Cooke's Spring, and were under siege themselves.[136]

While Colonel Baylor was having his problems attempting to control the Apaches in Confederate Arizona Territory and guarding against any Federal counterattack, the Union leaders, General Canby and Governor Henry Connelly, faced similar problems with the Navajos and were concerned over further Confederate invasion. On October 26, 1861, Governor Connelly reported to Secretary of the Interior William H. Seward that the Indians were committing depredations daily and suggested that each tribe either be placed on a reservation, with government furnished equipment and Anglo instructors, or exterminated by sword or starvation.[137]

When rumors spread that the Union troops from Fort Craig were going to come down-river and attack, Baylor ordered Dona Ana to be evacuated and retrenched his headquarters in Mesilla. This precipitated two events, one comical, the other not. Brewer, who had escaped the Apache attack in Cooke's Canyon, was reported sacking the Confederate stores left at Dona Ana, and "Hank" Smith and some others were sent to arrest their old friend. They were not too receptive to the idea and stopped at Picacho to attend a fandango which lasted all night. They returned to Mesilla the next day and reported that Brewer had acquired too much lead on them. Baylor demoted Smith from Sergeant to Private and put the entire squad in the guardhouse until it was learned that the news of the impending Union attack was just rumor.

Robert P. Kelley, by now the editor of the *Mesilla Times*, however, accused Baylor of cowardice for retreating to Mesilla from Dona Ana. Baylor demanded an apology, but Kelley refused. Several days later, on December 12, Baylor observed Kelley walking down Main Street (perhaps present-day Calle de Principal) toward the plaza. He asked Smith to hand him a Mississippi musket that was standing against the wall. Baylor stepped out into the street and demanded a retraction from Kelley; when he refused Baylor struck him down. As Kelley lay partially paralyzed from the blow, Baylor shot him with his pistol and left him for dead. Kelley survived the attack, but only for a few days. As Kelley described the attack (in writing): "It was not the chivalry one gentleman would extend another. He is supposed to have a show for life at least."[138] Nevertheless, Baylor was exonerated.[139]

On December 14, 1861, Baylor lost his position as the top Confederate commander in the theater. Brigadier General Sibley had finally arrived, recruitment of his invasion force having taken longer than anticipated, and took over control of the military situation. Baylor retained the Governorship of the Territory, at least for the moment.[140]

The year ended on a sour note. The first Mesilla newspaper of 1862 noted the passing of Kelley, who lingered nearly two weeks after Baylor shot him. He was buried on Friday, December 27, in Las Cruces. Hagar was buried next to him. Kelley had ordered Hagar's body preserved in anticipation of shipping it east, never considering that he would join his cousin in violent death at the hands of an enemy.[141] Two weeks later, on a Saturday morning, some of the property belonging to Kelley's estate was sold in the Mesilla Plaza, to pay for certain expenses.[142]

Baylor continued to have problems with the

Apaches. His attempts to establish control of the road to California were completely stymied, and many of the miners left the Pinos Altos camps because of the continued harassment. Baylor adopted a policy of extermination and used his locally mustered units, who had plenty of experience in Indian fighting, but he just could not control the Apaches. Not all his local problems, however, were with the Indians.[143]

During the first few days of January, the Confederates captured the town of Alamosa, 35 miles south of Fort Craig, without resistance. Baylor, leading 550 men, surrounded the town at daylight only to find that the Union garrison there, under Captain Moore and Lieutenant Lord, had evacuated the day before. Before leaving, the Union troops burned all their supplies and equipment they could not take with them. The new editor of the *Mesilla Times* raged that information regarding Confederate movements was being conveyed to the Federals from someone in the valley and asked, "Who is the traitor?"[144]

The "someone" turned out to be three. At about the time of the attempted engagement at Alamosa, the Confederates caught two Mexicans at old Fort Thorn carrying messages from Mesilla to Fort Craig. The parties guilty of transmitting the messages were discovered to be Jacob Appelzoller, Critendon Marshall, and John Lemon.[145] As a result, these three men were arrested in Mesilla and condemned to hang. On January 18, 1862, they were removed from jail by a party of men led by Amon Barnes. But, instead of a regular hanging, the Confederates raised and lowered them by the ropes around their necks hoping to extract more information about their activities. The cruel game ceased when Marshall did not recover. Appelzoller and Lemon were returned to jail.[146]

On January 13, the Apaches struck closer to Sibley's seat of operation. They attacked a hay camp near Fort Thorn and burned three wagons. In addition, the Indians stole 20 head of cattle from citizens plus 60 head of cattle and 40 horses from the Confederate Army.[147] Under these circumstances it is somewhat humorous to note the wild rumors that were reaching California at the time. Stories simultaneously claimed that Baylor had arrived at Tucson with 3,000 troops and was ready to march on Fort Yuma and that the Apaches had massed an assault on Tucson and burned all the houses and killed many of the people.[148]

On January 15, the new commander of the Army of New Mexico, General Sibley, issued an extensive proclamation. In it he delineated his intentions to take possession of all of New Mexico for the Confederate States.[149] The following day, totally unrelated, Captain Moore blew his brains out at Fort Craig.[150] To back up his proclamation, Sibley moved his forces to Fort Thorn on January 21 and prepared for further invasion.

Sibley detached 630 men, under Colonel William Steele, to guard his rear and to remain in command of the Mesilla Valley and El Paso. Sibley also sent newly-promoted Captain Sherod Hunter with a mounted force to occupy Tucson and protect against a surprise attack from the west, where it was known that Californians were gathering organized strength. With the arrival of Lieutenant Colonel John Schuyler Sutton's men on February 5, Sibley was poised to lead his invading army of 2,515 mounted men and 15 pieces of supporting artillery against the remaining Federal New Mexico forts.[151] A few, such as Captain Coopwood, ill with smallpox, were left behind in the hospital at Dona Ana.[152]

To strengthen local support, Sibley authorized Captain John G. Phillips to organize an independent company called The Brigands and on February 10, 1862, this unusual quasimilitary unit was formed. Phillips and nine other New Mexico residents were enrolled. They were not mustered into Confederate service but were "employed" by Sibley's quartermaster department. The officers were paid according to Army schedules but the enlisted men received an extraordinary $50 a month and their mission was to bolster the Confederate's supplies by appropriating civilian property.[153]

Roy Bean was supposedly involved in organizing a company of Confederate sympathizers who called themselves the Free Rovers. Others labeled them the Forty Thieves. However, no record exists of the group or its activities, at least under either name. Considering the similarities, perhaps this was the group known as The Brigands. Bean in later years, as "The Law West Of The Pecos," allegedly told A. J. Sowell that he was acting as a "spy and scout" for Baylor during the Confederate capture of Lynde's command.[154]

Apparently, somewhere in the confusion and Apache threats, the situation at Pinos Altos became too uncomfortable for the Bean brothers. Sam and

Roy Bean returned to Mesilla to pay more attention to their multifaceted business. Gamblers used the setting of their saloon, included in their operation, to set up shop and make their living. They had an agreement with Sam Bean to place their stake money (and hopefully winnings) in his safe overnight for safekeeping. Sam needed to go to Santa Fe on business so he showed Roy how to open the safe to deposit the gambler's pokes. When he returned from Santa Fe a few days later the safe was still locked, and Roy was no where to be found. When the safe was opened it was found to be empty, and Sam had to talk and act fast to avoid the gamblers' wrath. A good horse and saddle were also missing from the stable. Sam indicated that he never did see much of Roy after that.[155]

On February 14, about the time Captain Hunter was instructed to secure Tucson, President Jefferson Finis Davis signed into law a bill officially organizing the Confederate Territory of Arizona.[156] Various accounts have credited Hunter's force with strengths from 100 to 200 men. More creditable work, however, places the unit at 15 officers and staff and 59 privates, for a total of 74 men (one of whom died before reaching Tucson). Other units did join Hunter at Tucson from time to time, but on a temporary basis.[157]

Shortly after arriving at Tucson on February 28, 1862, Captain Hunter arrested Ammi White and focused his attention on Estevan Ochoa, the successful freighter and ardent Unionist. Hunter threatened Ochoa that unless he took the oath of allegiance to the Confederacy, Hunter would confiscate all of Ochoa's considerable property for the Confederacy and expel him from Tucson. Ochoa refused to cooperate and with only one horse, his personal weapons, and a few provisions, left for the Rio Grande the same day. This action by Hunter was tantamount to a death sentence, because the Apaches controlled the entire area and were killing every non-Indian they could find.[158]

The remaining battles and skirmishes fought in New Mexico (Figure 41) had little bearing, directly or indirectly, on the Cooke's Peak area, with the exception of the involvement of the California Volunteers. In the exceptionally hot dry summer of 1862, the Californians marched across southern Arizona and New Mexico to confront the Confederates. The advance section of the column would pass by Cooke's Spring and reach the Rio Grande

Figure 41. Military operations in New Mexico. Photo courtesy of the Museum of New Mexico, #49369.

just behind the already retreating Texans.[159]

The Battle of Valverde was fought about six miles up the Rio Grande from Fort Craig on February 21, 1862. It was a bloody battle by standards of the time but was at best indecisive. The Confederates carried the field and captured some cannon but failed to take Fort Craig and, in the process, lost many of their mounts and a considerable amount of their precious supplies. Though bloody, the casualty list was not high by later Civil War standards. General Canby reported 68 killed, 160 wounded, and 35 missing. Colonel Thomas Jefferson Green listed his Confederate losses at 36 killed, 150 wounded, and 1 missing.[160]

Among the casualties of the battle were a few that should be noted. George Bascom, now a captain, was killed on the field almost exactly a year after his confrontation with Cochise at Apache Pass. Captain Alexander McRae, in the heroic but futile defense of his guns, bequeathed his name to a fort established later along the Jornada del Muerto. Captain Lord suffered the loss of his reputation, at least temporarily, when a fellow officer claimed that he failed to respond to orders. He also lost some of his whiskers, to a Lieutenant McDonald, in a fight that started when Lord was too vitriolic in his later condemnation of the Colorado Volunteers over events surrounding the incident.[161]

Between major engagements of the North and South in New Mexico, Colonel Baylor issued an order that would cost him his governorship. He had become exceedingly bitter over the Apaches' continued attacks on his men and the citizens, claiming that more than 100 people had been killed (a significant percentage in or near Cooke's Canyon) in the recent Indian war. His hatred for Indians, evidenced in his publishing a Texas anti-Indian newspaper and his brother's listing his occupation in 1860 as Indian Killer, surfaced on March 20, 1862.[162] Baylor wrote to Captain Helm, temporarily at Tucson, directing him to "use all means to persuade the Apaches or any tribe to come in for the purpose of making peace, and when you get them together, kill all the grown Indians and take the children prisoners and sell them to defray the expense of killing the Indians."[163] This did not set well with the Confederate Congress or with President Davis who removed Baylor as Governor of the Confederate Territory of Arizona.

The Battle of Glorieta Pass on March 28, 1862, described by many as the Gettysburg of the West, was nearly a replay of Valverde. Both sides lost men; the Confederates carried the field but lost their entire supply and baggage train to some mountain climbing Federals. Interestingly, one of the major figures of the fight, Union Colonel John P. Slough, was criticized by General Canby for taking too aggressive action against the Confederates! The leader of the Colorado Volunteers resigned his commission on April 29 and returned to Colorado.[164]

Even had the Confederates not retreated to Albuquerque following the Battle of Glorieta, or had they garnered sufficient supplies to make another assault toward Fort Union, their cause in the Southwest was doomed. The Column from California was on its way in sufficient strength to cut off the Texans' retreat and capture or annihilate the entire force.

The Union could not endure either the isolation of California or risk its becoming a Republic; therefore, on December 18, 1861, Major General George Brinton McClellen approved a plan, submitted by Department of the Pacific Commander, General George G. Wright, to reopen the vital route to California and restore mail service. After months of preparation, Colonel James Henry Carleton started his eastward move. With 200 wagons, 900 draft animals, 25 pack mules, 125 additional horses for artillery and cavalry, and a large mobile commissary, Carleton left Fort Yuma for Tucson on May 16.[165]

Meanwhile, the retreating Confederates buried eight artillery pieces in the Albuquerque plaza and retreated to Governor Connelly's ranch near Peralta on April 14. In the process they abandoned about 100 sick and wounded men in their Santa Fe hospital. This harsh but necessary procedure would be repeated at Socorro, Dona Ana, and El Paso. Perhaps to vent frustration or perhaps to pay back their loss of supplies, they nearly destroyed the Governor's home. Connelly later claimed $30,000 for the wanton damage.[166] Sibley, who feared entrapment between pursuing forces and soldiers remaining at Fort Craig, left the river for the mountains below Socorro and, after eight torturous days, reached the Rio Grande about five miles below Alamosa. He had approximately 1,800 men left out of the original 2,515.[167]

In Arizona, the westernmost fight in the Civil War took place on April 15, 1862, albeit with only 28 participants, counting both sides. Colonel Joseph

Rodman West had sent Captain William McCleave toward Tucson to examine the route for water and forage. McCleave and several other men were captured by Captain Hunter's advanced patrols, without a shot fired. Another advance patrol was dispatched and the resulting skirmish forced Hunter to abandon Tucson on May 4. While retreating toward the Rio Grande the following day, Hunter was attacked by Apaches at Dragoon Springs but his losses were limited to six horses.[168]

With the Confederates abandoning Tucson and the Californians definitely on their way, some of the citizens of Tucson fled east also. When the Oury party passed through Apache Pass, Mina Oury noted that the skeletons of the six Indians executed by Bascom, Irwin, and Morrow were still hanging from the trees. Upon reaching Fort Fillmore, Mina's husband, Granville Henderson Oury, was elected the new Captain of the Arizona Rangers during a reorganization prior to evacuation.[169]

During the hot summer months of May, June, and July, the Confederates continued to perform rear guard duty between Dona Ana and El Paso and prepared to evacuate the Territory. This strategic withdrawl would have to be accomplished by small parties, because of the intense heat and the shortage of water on the route between El Paso and San Antonio. The Confederates lacked transportation, so they took all the horses, mules, and wagons they could find in El Paso. George Giddings again suffered a temporary disaster when the retreating soldiers stripped his stage line. Also short of supplies, the Confederates resorted to "foraging" from the local populace. On at least two occasions this resulted in a fire-fight, and in one instance, on July 1, some of the men were killed. Captain William H. Cleaver and five of his men were killed by citizens in the Mesilla Valley. The last Texans did not leave El Paso until July 12, and it was August before the stragglers reached San Antonio.[170]

Not all of the Confederates evacuated to San Antonio. Many were left in various hospitals and some deserted. Eugene Zimmer, a member of the Arizona Guards whose name was always last for role call, was the first of several men to desert following Colonel William Steele's reorganization of the unit on July 1, 1862. Others soon followed Zimmer's example. They were: on July 4, Henry Clay "Hank" Smith; on July 6, John W. "Jack" Swilling, John M. Smith, Thomas Buchanan, H. D. Allen (or Nelson), and William Smith; on July 7, Andrew Kittson, E. C. Marcey (or Marcy), Fitz Martin, William Fisher Scott, and Conrad Stark. Of these men, three must have joined forces and headed for California because John Smith, Buchanan, and Stark were all killed by Indians at Apache Pass.[171] It is highly probable that they were part of a group of miners from Pinos Altos killed near the east entrance to the pass when they ran into the rear guard of Apaches waiting to ambush elements of Carleton's advancing Californians.[172]

William Fredrick Milton Arny, a government Indian Agent, writing for the *Santa Fe New Mexican*, offered a fitting epitaph for the Confederate invasion and subsequent withdrawal:

> *The destruction caused by the Texan invasion in 1861 and '62 has had a most disastrous effect upon this country. They consumed its substance, caused the loss of almost its entire mercantile and mining capital, and much injured the agricultural interests; it impoverished the whole country. The Indians seeing that the whites were at war, increased in boldness, and compelled the abandonment of many mines and settlements, while fear of Texans and war induced nearly half the Mexican population of the Mesilla Valley to flee to Mexico, from whence they are slowly returning.*[173]

The native New Mexicans who stayed referred to the conflict simply as "the War with the Texans."[174]

In retrospect, much of the commercial sector losses were offset later by profits from supplying the many troops stationed in the Southwest to combat the Indians and forestall reinvasion by the Confederates. Indeed, one historian claims that many citizens profited during the Confederate occupation as well. In addition to the small farmers' benefiting from a ready market, the Civil War was instrumental in ending the peonage system that had held many in virtual slavery.[175]

The Civil War, as far as the Southwest was concerned, was over. Naturally, no one knew it at the time. The Confederate military included Arizona Territory in their Transmississippi Department until the end of the war, and occasionally officers such as Coopwood or Sibley agitated for reinvasion, but without serious consequences. It was perhaps fitting in a way that in later years the music played over the

graves of the men who fell on the battlefields of New Mexico, and in other wars and places, was written by John Butterfield's son, Major General Daniel Adams Butterfield, when he composed "Taps" at Harrison's Landing in 1862.[176]

The California Column

During the latter part of 1861 and early 1862, as the Confederates pushed their operations in west Texas and southern New Mexico, the Union forces in California prepared to cross the Colorado Desert and repair the damage. Historians have failed to note the significant similarities and differences between Colonel James Henry Carleton's and the California Column's march east to the Rio Grande and General Henry Hopkins Sibley's march to the same point from San Antonio. The distances and the intervening terrain across dry sandy deserts and through hostile Indian country held many similarities. Likewise, the number of men involved were reasonably comparable, as was the time required for preparation prior to initiating the respective expeditions. The major and significant differences were the amount of time required to recognize the necessity of securing the territory; the time required to march from the point of assembly to the destination; and, not unrelated, the equipage and supplies carried by each group. The South realized quite early that it was in its interests to take command of the southern route and, if possible, the gold fields. The North took much longer to act. A corollary is that the Union forces were much better equipped, supplied, and trained than the Confederates.

There has been some confusion regarding the actual strength of Carleton's command, however. A low of 1,400 was given by one historian, and a high of 2,350 by another. Both are probably incorrect. True, Carleton reported predicting 1,400 men would be his strength upon reaching Mesilla, but he included 127 civilian employees in this figure. The situation was further confused because Carleton mentioned leaving 113 soldiers at Apache Pass and neglected to indicate how many had been left at Tucson and other intermediate posts. However, according to the units included in his command (Table 1), the 2,350 figure could be accurate if all the companies were at maximum strength.[177]

There were also many civilian employees attached to the column as teamsters, blacksmiths, packers, express riders, and guides as well as other specialties. One of the guides was reputed to have been Thomas Jonathan Jeffords, who was later in charge of the mail division between Apache Pass and Tucson and best remembered for his later friendship with Cochise while Indian Agent for the Chiricahua.[178]

By March 31, 1862, all was in readiness and the first units pushed off for Tucson. The Infantry shouldered packs that weighed from 45 to 60 pounds in addition to their weapons, canteens and other accouterments. The officers were allowed to place their personal baggage in the wagons but were limited to 80 pounds each.[179]

Previously, on March 6, Lieutenant Colonel West's advance patrol under Captain William A. McCleave was intercepted near the Pima villages west of Tucson by Captain Hunter and his men. The Union soldiers had been taken without a shot and sent to the Rio Grande as prisoners. West sent Captain William P. Calloway of Company D to rescue his men, and Calloway in turn detached a patrol under Lieutenant James Barrett to cut off the retreating Confederate pickets. Barrett did not follow orders and charged the pickets who were concealed in some trees. In the ensuing clash, Barrett and two of his men (Privates Johnson and Denerd) were killed. Jack Swilling, now serving under Hunter, claimed to have personally accounted for Barrett. The Confederates suffered two killed (unidentified) and

Table 1. Carleton's California Column components

Unit	Strength	Commander
1st California Cavalry	5 Companies	Colonel Edward E. Eyre
2nd California Cavalry	1 Company (B)	Captain John Carey Cremony
1st California Infantry	10 Companies	Lt. Col. Joseph Rodman West
5th California Infantry	5 Companies	Colonel George Washington Bowie
3rd United States Artillery	1 Company (A)	Lieutenant John Brognard Shinn

three (Sergeant Henry Holmes and Privates William Dwyer and John W. Hill) captured. The remainder of the picket party escaped to warn Hunter.[180]

West's men arrived in force in Tucson on May 20, at least two weeks after Hunter and his men had departed. Carleton had wanted West to trap Hunter and prevent him from retreating to the Rio Grande with up-to-date information regarding the California Column's progress. In connection with his other orders, Carleton instructed West to make sure that his men had their cavalry sabers sharp for close-quarter work (he was aware that the Confederate cavalry at Tucson had no sabers). Carleton further advised West that if Hunter's men fortified themselves in asdobe buildings, he should follow the procedure used against the New Mexicans and Indians at Taos in February 1847. The assault there was enhanced by cutting holes from room to room and throwing in cannon shells on which the fuses had been lit.[181]

There was no further confrontation with the Confederates, but a more dangerous enemy threatened the Californians. Lieutenant Richard Hudson was in charge of one of the 600-gallon water wagons Carleton had ordered constructed of wood and lined with the tin from ammunition boxes. On one of the worst stretches of desert he was ordered to give each man one pint of water every 10 miles. One company tried to take over the water wagon which, if they had been successful and had depleted the supply prematurely, might have spelled death for the whole group of 300 men. Hudson had his men fix bayonets and push the others back from the water wagon. He indicated in later years that it was one of the hardest things he was ever required to do.[182]

Colonel Carleton and his escort reached Tucson on June 7 and remained there more than two months. On about June 15 Carleton received word that he had been promoted to Brigadier General of Volunteers as of April 28.[183] On the same day he made another in a series of attempts to get news of his progress through to General Canby. A first courier had been turned back by an impassable tributary of the Gila River, and a second attempt was also foiled when the men were too afraid to make the journey through the Mexican borderlands.[184]

On June 15, 1862, General Carleton sent three men eastward with messages for Canby regarding his disposition and troops. Civilian express riders John Jones, Sergeant William Wheeling, and a Mexican guide known only as Chavez, were detailed to carry the information regarding Carleton's status, strength, and progress. To accomplish this they had to pass through the Apache stronghold and Confederate lines to the Federal troops at Fort Craig. Each man carried copies of two unclassified documents. The third critical message was rolled and placed in an empty chamber in their pistols.[185]

Each man rode one mule and led another loaded with supplies, which was also to be used to spell the other mule. They left after dark and progressed over the old stage road without incident until, on the evening of June 18, about 16 miles east of Apache Pass, they discovered signs of more than a dozen Apaches. The express riders had been traveling in an extended single file, several hundred yards apart so that if one was intercepted, the others could either quickly come to their aid or make a run for it, as the circumstances dictated. With the discovered proximity of the Indians, they closed their intervals to 100 yards.

The Indians sprang their ambush and in the dismounted fire-fight the Mexican guide was hit in the hip and was unable to ride. Wheeling and Jones made a tough decision and left him to stand off the Indians while they attempted to break through. However, Wheeling was hit in the side by an arrow and fell to the ground, leaving only Jones to make the escape. Fortunately for Jones, Wheeling's mule ran with him, and he had a relief mount for the ensuing chase. The Apaches closely pursued Jones until sundown. During the chase he wounded two of them.

Having forced the Indians to give up the chase, Jones' remaining problems were water shortage and Confederate patrols. He exhausted his two canteens long before reaching Ojo la Vaca, approximately an hour before noon on June 19. Jones stabled the mules in the abandoned stage station and rested for six hours so he and the mules could eat and fill up on water. At the Mimbres crossing, he avoided a Confederate patrol but had to go without water because the stream was dry. Again, at Cooke's Spring he went without water because, when he arrived at five in the morning on June 20, a Confederate patrol was camped there.

After surviving the problems of the harrowing ride, Jones was captured near Picacho. He blundered into a Confederate outpost and was taken prisoner. Nevertheless, he made contact with a Union partisan

(possibly John Lemon) and forwarded his messages to General Canby. He was later exchanged in the same negotiation that returned Captain McCleave to the Californians.[186]

The reasons for Carleton's delay in Tucson were both water related. First, he needed to know the condition of the water resources between Tucson and the Rio Grande so he could determine how many men could be sent through at a time and the necessary intervals in between. Secondly, his wagons were unfit for further service without considerable repair. The extremely dry weather had caused the wooden wagon wheels to shrink, which loosened the metal tires, and allowed the sand to grind the wood away even more. Carleton had established two repair shops by June 10 but could not repair more than two wagons per day.

Another reason for dispatching Eyre's task force was related to the Confederate situation in New Mexico. Carleton had received word concerning the results of the fight at Glorieta Pass and, in addition to assessing the water situation, he wanted Eyre to be in a position to help cut off Sibley's retreat. After supplying the command with 30 days rations, he directed Eyre to make a forced march to the river.[187]

Previously, on June 6, predating the effective date of President Abraham Lincoln's proclamation freeing the southern-held slaves by six months and with as little immediate control of the situation, Carleton issued his assertion of martial law in the Territory, including the Mesilla Valley. It would not be lifted until July 4, 1865, and those who smarted under his frequently heavy-handed ways called it "Carleton's Law." Some with whom he had sharp differences, such as Indian Agent Steck, labeled him "The Great Mogul."[188]

On June 21, 1862, Lieutenant Colonel Eyre departed Tucson with 140 men and headed for the Rio Grande 300 miles away.[189] On June 25, while watering their horses at the Apache Pass spring, they were approached by Apaches bearing a white flag. A peace conference ensued during which the Indians promised to maintain neutrality. This was almost certainly an Apache ploy to learn what they could of the army's plans and strength. At the same time as the parley, three of Eyre's men (Privates Albert Schmidt, James F. Keith, and Peter Maloney) violated orders and became separated from the main body of soldiers. The Apaches killed them without alarming the others and made off with their clothing, weapons, and one horse. That evening several shots were fired into the soldiers' camp and Assistant Surgeon William A. Kittridge was wounded in the head and one horse was killed.[190]

Eyre's progress to the Rio Grande was uneventful, considering the Indian situation, except for contact with several parties along the route. On June 30, they encountered two men with messages for the commander of the Federal forces at Tucson, but due to their suspicious behavior, Eyre took them in tow. Later the same day he met a Mr. Milligan, traveling with an eight man escort, with a message from Colonel John Milton Chivington. He also learned of Jones' capture at this time. He sent Milligan and another man back to Fort Craig with messages of his own.[191]

Eyre's column continued to make contact with other small groups. These parties were miners leaving Pinos Altos because the Indians had totally cut off supplies. On July 1, they intercepted a group of 30 men on their way to Mexico from the mines. This group was judged harmless and released. At one in the morning on July 3, a group of 12 men and 2 women were discovered approaching the camp, a somewhat dangerous action as a picket a week before had shot a coyote at midnight thinking it was a skulking Apache. Eyre took these people, who were heading for Mesilla from the mines, into custody to prevent news of his presence from reaching the Confederates.

Eyre took the precaution of having a patrol scout Cooke's Spring before the column reached there the evening of July 3. The following day they failed to obtain water at Mule Spring, even after digging for it, and they had to wait until they reached the Rio Grande to obtain water. Eyre had the United States flag hoisted on July 4, to the loud cheers of the command. The next day they moved down-river three miles and occupied the twice-abandoned facility of Fort Thorn.[192]

Carleton ordered Captain Thomas L. Roberts, after admonishing him not to attack the Indians unless they initiated the hostilities, to proceed to the Rio Grande with another column to support Eyre. When Roberts left Tucson at half-past four on the morning of July 10, he led a group of 4 officers and 126 men supported by 22 wagon teams (with Jesse R. Allen as wagon master) and 242 animals including cavalry mounts. The units consisted of 72 First California Infantrymen of Roberts' Company E (in-

cluding Sergeant Albert Jennings Fountain) (Figure 42), a 10-man detachment of Company H from the same Regiment under Lieutenant Alexander Bartholomew MacGowan, Captain John Carey Cremony and 24 Second California Cavalrymen of Company B (including Private John W. Teal), and a battery of 2 prairie howitzers supported by Lieutenant William A. Thompson and 20 men drawn from various infantry companies.[193]

On July 15, leaving Cremony in charge of the wagon train and escort approximately 15 miles from the pass, Roberts proceeded to Apache Pass with 60 infantry, 8 cavalry, and the howitzer battery where Cochise, Mangas Coloradas, and about 400 Apaches waited for them.[194] Although both sides later claimed the Indians were ignorant of the significance of the field guns, the first Indian attack focused on these men bringing up the rear of the advancing party. The Apaches struck heavily killing Private C. M. O'Brian and wounding civilian teamster Andrew Sawyer; however, the Indians suffered greater casualties because four Apaches were known to have been killed.

As the column neared the spring, located in an arroyo between two low rocky hills, the Apaches fired on the soldiers killing Private John Barr and wounding another man. Roberts deployed his men against both hills clearing the way for them with the howitzers. By four o'clock, the Indians were banished temporarily, and the soldiers took possession of the water hole. The soldiers' assessment of Apache casualties ranged from 9 reported by Carleton to Cremony's 66 (quoting an Indian at a later date). The truth lies somewhere between, but probably closer to the lesser number.[195]

After watering the men and animals, Roberts retired to the stone station house a few hundred yards west of the spring and sent six of his cavalry, led by Sergeant Titus B. Mitchell, to warn Cremony to be alert for attack. About four miles west of the pass, 40 Apaches attacked the men, who were strung out along the road, cutting off 33-year-old Private John W. Teal who was walking his horse and lagging behind. The other men could not break through to Teal, although Private Jesse T. Maynard was wounded in the attempt as was his and another soldier's horses.

Figure 42. Albert Jennings Fountain. Photo courtesy of the Museum of New Mexico, #9873.

Teal made a determined stand against the 15 Apaches who remained behind to finish him off. In the fight his horse was killed by a bullet from the Indian leader's "citizen rifle" (probably a Sharps taken from the stage company). Teal used his saddle and dead horse for protection and kept the Apaches at bay until he managed to wound their leader, after which the entire party withdrew. It was later determined that Mangas Coloradas, who had led the attack on the patrol, was severely wounded by Teal. Teal walked the remaining eight miles to Cremony's camp and arrived an

hour or two before midnight. When Teal indicated that he was very thirsty, the Captain gave him a drink of whiskey, but he remained thirsty.[196]

Roberts arrived at the train a little later with 28 of his men. In the morning they returned to the spring with the rest of the column. The soldiers again skirmished with the Apaches to reach the water. Roberts then had his men establish a fortified supply depot at the old Butterfield station nearby. On July 17 the column continued toward the Rio Grande without any further incidents, except for stopping at the east side of the pass to bury some bodies. Either General Carleton reported the same group as Captain Cremony, although listing 9 rather than 12 bodies, or the Apaches had struck again. The latter is most likely as Cremony claimed that the troops buried the victims.[197]

The rest of the California Column traversed the road between Tucson and the Rio Grande in similar small groups but without any further difficulty from the Indians. Carleton had spent nearly two months in Tucson, having left on July 23 and followed by three last detachments a few days apart under the command of Colonel Joseph R. West, Lieutenant Colonel Edwin A. Rigg, and Major Edward B. Willis. He may have earned his affectionate title of "General Jimmy" when he issued an order that his troops could put their packs on the wagons.[198]

During the time that Carleton's contingent traversed the route to the Rio Grande, Private Teal and a few others of his company were detached to perform various tasks along the road. The men herded cattle, chased Indians, and escorted water tanks. However, during the first week of August, they escorted Carleton's party over the last leg of the route. When they reached their camp on the Mimbres River on August 5, Teal described it as "a roaring, howling river but no water running in it."[199]

The empty riverbed was not the only thing "howling." The Apaches had so isolated Pinos Altos that the people there were literally starving. Somehow a message got through to Carleton, and before pulling out of camp on August 6 he sent a letter to Colonel West ordering him to dispatch Captain Edmund D. Shirland to the community with 5 beeves, 600 pounds of pemmican, 3,000 pounds of flour, and 1,500 pounds of Mexican sugar. Shirland accomplished this the following day and found approximately 100 people, including 30 families, who were surviving on roots and the like.[200]

The commander and his escort continued on to Cooke's Spring. Teal noted that for two or three miles before they reached the spring, the road was lined with graves and bones of people that had been killed by the Indians.[201]

Carleton arrived at Fort Thorn on August 7, 1862, having left 100 men of the Fifth California Volunteer Infantry at Apache Spring, under Major T. A. Coulty, to construct a fort on the hill above the water source. By the time the last contingents arrived, it had taken the Californians 10 months to complete the trek. The Rio Grande was still in its flood stage, and the men performed a herculean task in ferrying the commands across the river. As Carleton continued toward El Paso, he discovered that Mesilla was isolated by water from both sides and nearly impossible to access from the west.[202]

Carleton found the Rio Grande valley deserted of Confederate troops except for those left behind in the hospitals. He proceeded to station troops at Mesilla, Las Cruces, Fort Fillmore, and Hart's mill at El Paso. He made Mesilla the headquarters of the District of Arizona. In mid-August he took possession of Fort Bliss, and made temporary prisoners of the Confederate disabled there. However, by September 1, he sent them toward San Antonio in wagons, supplied with provisions and medicines and escorted by a Lieutenant and 25 Californians. On concluding their duties in El Paso, Carleton's men found 12 wagonloads of quartermaster and hospital supplies, originally Federal property, hidden at the customs house across the river in Mexico, which they shipped to Fort Fillmore.[203]

Carleton had initially, like Eyre, been ordered not to pursue the Confederates into Texas. General Canby later modified that order to allow him to use his own discretion; however, it was too late. On August 22 Carleton issued orders for Captain Cremony to reoccupy Fort Quitman and for Captain Shirland to take over abandoned Fort Davis.[204]

Teal was in one of the units ordered to Mesilla. One of their first tasks was to go down river about 10 miles and arrest Hugh M. Beckwith, a secessionist. According to Teal, they returned on September 1 with a prisoner of "true type of southern chivalry which is composed of bone, sinew, skin and any amount of ignorant conceit."[205]

Carleton's military fortunes were about to change. On August 26, 1862, an order was issued for him to proceed to Santa Fe to replace General Canby as

commander of the Department of New Mexico. He did not receive the information until September 2 and did not assume command until September 18. He appointed Colonel West to take his place in southern New Mexico.[206]

As early as May 24, while still enroute to Tucson, Carleton had envisioned reopening the southern mail route to California. With Texas still unavailable, he suggested running the route from Independence, Missouri, to San Francisco, California, via Santa Fe, Fort Thorn, Tucson, and Los Angeles. Shortly after assuming his new position, Carleton wrote Postmaster General Montgomery Blair on October 18 that he thought it was time to reopen the southern mail route. About the only change he made in his suggested route was to replace Fort Thorn with Mesilla as in earlier days. In his argument he noted that the road was good, most of the stations were already built, and that many were in tolerable repair. He already had contacted the Overland Mail Company's San Francisco representative, Louis McLane, and had received an indication that, given a contract, service could resume within 60 days.[207] This plan did not mature; there would be mail stages soon but not the Overland's. The condition of "tolerable repair" must have meant that the walls were still standing, because all but one of the stations had been "destroyed" in 1861.

Despite Carleton's intentions of controlling the Indians, throughout the Territory, and making the Southern Route to California again safe for stages, freighters, emigrants, and others, it would be months before either plan bore any fruit. Indeed, even when many of the Indians were later confined on his new reservation, the Mimbres and other southern Apaches would require considerable effort and many troops to keep them from controlling the entire territorial area penetrated by the road.

Endnotes - Chapter 5

1. Bureau of the Census, Federal Census Population Schedules, Eighth Census (1860), New Mexico, Micro-copy No. 653, Roll No. 712 (hereafter cited as New Mexico Census, 1860). Martinez was listed as having personal property valued at $200. It was extremely rare for women to indicate any separate property value in census. Robert Marshall Utley, *Frontiersmen in Blue: The United States Army and the Indian, 1848-1865* (New York: The Macmillan Company, 1967), pp. 161-162 (hereafter cited as Utley, *Frontiersmen*); Robert Marshall Utley, "The Bascom Affair: A Reconstruction," *Arizona and the West*, Vol. 3 (Spring, 1961), pp. 61-62 (hereafter cited as Utley, "Bascom"). The boy, later known as Mickey Free, acted as a guide and interpreter for General George Crook in the 1880s. In Cornelius Cole Smith, Jr., *William Sanders Oury: History-Maker of the Southwest* (Tucson: The University of Arizona Press, 1967), p. 255 (hereafter cited as Smith, *Oury*), he was described as half Irish, half Indian, and all son-of-a-bitch. Hardly an accurate epitaph unless Martinez had a good deal of Irish mercenary in her blood.

2. Utley, "Bascom," pp. 62-64.

3. *Ibid.*; Benjamin H. Sacks (ed.), "New Evidence on the Bascom Affair," *Arizona and the West*, Vol. 4 (Autumn, 1962), pp. 269-272 (hereafter cited as Sacks, "Evidence"). Utley recorded only one child, but the later arithmetic on captives supports the theory of three noncombatants.

4. The others with Cochise were all members of his family. His wife was a daughter of Mangas Coloradas, and with her children, were companions one would not take into a situation of suspected danger or confrontation.

5. Utley, "Bascom," pp. 62-64; Sacks, "Evidence," pp. 269-272. The *Mesilla Times*, February 16, 1861, p. 1, claimed that Cochise was also clubbed over the head and received a bullet wound in the leg. This cannot be confirmed but is not a major issue.

6. *Mesilla Times*, February 16, 1861, p. 1; Utley, "Bascom," pp. 62-64; Sacks, "Evidence," pp. 269-272, claimed that Cochise sweetened the offer with 16 government mules. If the offer was indeed tendered, the mules were probably from the freight outfit destroyed earlier. Bernard John Dowling Irwin, "The Apache Pass Fight," *Infantry Journal*, Vol. 32 (Number 3, 1928), p. 372 (hereafter cited as Irwin, "Apache Pass"), indicated that all eight drivers had been tied to the wheels of the wagons and burned.

7. Utley, "Bascom," pp. 62-64; Sacks, "Evidence," pp. 269-272.

8. *Mesilla Times*, February 16, 1861, p. 1. It is likely but unknown if the wounded stage driver and hostage freighter were related.

9. *Mesilla Times*, February 16, 1861, p. 1. In Gilbert J. Pedersen, "A Yankee in Arizona: The Misfortunes of William S. Grant, 1860-1861," *Journal of Arizona History*, Vol. 16 (Summer, 1975), p. 133 (hereafter cited as Pedersen, "A Yankee"); and Utley, "Bascom," p. 60, the three other passengers and the conductor were unidentified.

10. *Mesilla Times*, February 16, 1861, p. 1; Smith, *Oury*, p. 127; Utley, "Bascom," pp. 65-66.

11. The *Mesilla Times*, February 23, 1861, p. 2:1, only credited the capture of 12 cattle. Sacks, "Evidence,", p. 265. For his actions against the Apaches, Irwin would later be awarded the Medal of Honor.

12. Utley, "Bascom," p. 66.

13. *Mesilla Times*, February 23, 1861, p. 2:1, 2; Smith, *Oury*, p. 128.

14. *Mesilla Times*, February 16, 1861, p. 1. The stage arrived at Mesilla on February 15 carrying the first western mail received in nine days.

15. Irwin, "Apache Pass," p. 374; *Mesilla Times*, February 23, 1861, p. 2:1; Utley, "Bascom," pp. 67-68. Contemporaneous documents, including Moore's report, record four dead Americans at the scene. Irwin claimed six, and Sacks, "Evidence,", p. 272, suggests the names of Whitfield, Sanders, and Brunner might be added to those of Wallace, Jordan, and Lyons but did not offer a concrete reason.

16. James L. Haley, *Apaches: A History and Culture Portrait* (Garden City: Doubleday & Company, Inc., 1981), p. 228 (hereafter cited as Haley, *Apaches*). Unfortunately, Bascom would have only a year to bask in his glory before dying on the Valverde battlefield.

17. Eve Ball, Nora Henn, and Lynda Sanchez, *Indeh: An Apache Odyssey* (Salt Lake: Brigham

Young University Press, 1980), p. 25.

18. *Los Angeles Southern News*, March 8, 1861, p. 2:3, copying the *Mesilla Times*, December 27, 1860; Smith, *Oury*, p. 91. Mina Oury noted that the skeletons of the six Indians remained hanging from the trees for two years.

19. Frank A. Root and William Elsey Connelley, *The Overland Stage to California* (Columbus, Ohio: Long's College Book Company, 1950), pp. 41-43; Dorman H. Winfrey, "The Butterfield Overland Mail Trail," *Along the Early Trails of the Southwest* (Austin: The Pemberton Press, 1969), p. 40.

20. *Los Angeles Southern News*, p. 2:4, copying the *Mesilla Times*, March 9, 1861; *Los Angeles Southern News*, p. 2:1, copying the *Mesilla Times*, April 3, 1861.

21. Wayne R. Austerman, *Sharps Rifles and Spanish Mules: The San Antonio-El Paso Mail, 1851-1881* (College Station: Texas A & M University Press, 1985), pp. 161-162 (hereafter cited as Austerman, *Sharps Rifles*.

22. *Ibid.*, pp. 162-163; *San Antonio Express*, May 18, 1902, p. 13:1, 4.

23. *Mesilla Times*, April 13, 1861, p. 3:2.

24. *Ibid.*, p. 3.

25. New Mexico Census, 1860. If he had not moved since the census had been taken, that would make the other three men at the Cooke's Spring station C. M. Coleman, R. A. Abriel, and J. G. Pitman. What a tailor was doing living at Cooke's Spring, in the middle of nowhere, is beyond rational comprehension.

26. *Mesilla Times*, April 13, 1861, p. 3:2, 3; Oscar Waldo Williams, "An Old Timer's Reminiscences of Grant County, New Mexico," *Password*, Vol. 10 (Summer, 1965), pp. 46, 51 (hereafter cited as Williams, "Old Timer's"). Hagar, like Kelley, was from Palmyra, Missouri.

27. *Mesilla Times*, May 11, 1861, p. 3; John Philip Wilson, "A Mesilla Times Returns to New Mexico," *El Palacio*, Vol. 78 (Number 3, 1972), p. 2. Frank Higgins was the Mesilla newspaper editor until at least July 29.

28. *Lordsburg Liberal*, April 22, p. 2:1-8; Austerman, *Sharps Rifles*, p. 168-169; *Galveston Civilian and Gazette*, June 4, 1861, 1, n.p., copying the *Mesilla Times* of May 11. James Henry Tevis, *Arizona in the '50's* (Albuquerque: University of New Mexico Press, 1954), p. 229-230 (hereafter cited as Tevis, *Arizona*), claimed that a number of Pinos Altos miners had joined McNeice at Ojo la Vaca intending to go through to California and were wiped out in the same attack.

29. Emmie Giddings Wheatley Mahon and Chester V. Kielman, "George H. Giddings and the San Antonio-San Diego Mail Line," *Southwestern Historical Quarterly*, Vol. 61 (Oct., 1957), p. 236 (hereafter cited as Mahon and Kielman, "Giddings").

30. An Arrastre mill was a primitive method of ore reduction by means of having a mule drag a large rock over the crude ore in a circular pit.

31. Tevis, *Arizona*, pp. 219-228. Tulipi, called tizwin by the Americans, was an Apache beverage fermented from sprouted corn. One old frontiersman claimed that a drink of the brew would make a jackrabbit jump up and slap a wildcat in the face.

32. *Galveston Civilian and Gazette*, June 4, 1861, n.p., copying the *Mesilla Times* of May 11.

33. *Mesilla Times*, May 18, p. 1, March 30, 1861, p. 1:1. Apparently Caldwell's knee wound, at the hands of Harrington, had not been incapacitating.

34. *Ibid.*, May 18, n.p. An escort of six heavily armed fighting men for the mail coach was a standard operating procedure for Giddings.

35. *Ibid.*, 2:1, May 25, 1861, p. 2:1. Henry Skillman would be in charge of the western division (Mesilla-Los Angeles) of the line, and his brother William D. was to be the agent at Mesilla.

36. Austerman, *Sharps Rifles*, p. 169-170; Mahon and Kielman, "Giddings," p. 238. The arithmetic is one off here in that the mail party was seven men and James's party was five, making a total of 12. Perhaps the Apaches caught one man at the station.

37. The *El Paso Times*, July 10, 1957, n.p., indicated that Giddings had previously lost a brother, Giles, at the Battle of San Jacinto, as one of the relatively few American casualties. Austerman, *Sharps Rifles*, pp. 169-170; *San Antonio Express*, May 4, 1902, p. 22:3. An archaeological field school, conducted at Fort Cummings during July 1989, revealed that the Cooke's Spring station had not been burned so it may have been the spared facility.

38. *Mesilla Times*, May 25, 1861, p. 2:1.

39. *Los Angeles Southern News*, July 12, 1861, p. 3:1, copying the *Mesilla Times*, May 25, 1861.

40. *Mesilla Times*, June 30, 1861, p. 2. William was also the deputy postmaster at Mesilla.

41. *Ibid.*, June 1, p. 2:1, June 16, 1861, p. 1, 2:1.

42. Austerman, *Sharps Rifles*, p. 176.

43. *Los Angeles Southern News*, July 26, 1861, n.p., copying the *Mesilla Times* of June 23.

44. *Mesilla Times*, July 13, p. 2:5, August 27, 1861, p. 2; Charles S. Walker, Jr., "Confederate Government in Dona Ana County, as Shown in the Records of the Probate Court, 1861-1862," *New Mexico Historical Review*, Vol. 6 (July, 1931), p. 266 (hereafter cited as Walker, "Probate"). In August or September, Catlett's property was sold to satisfy a default judgment of $390, plus costs, in favor of Thomas J. Mastin.

45. Austerman, *Sharps Rifles*, p. 179; *Mesilla Times*, July 20, 1861, p. 1:5, 2:1.

46. *Mesilla Times*, July 27, 1861, p. 1:3.

47. This event, so little known today, helped name Massacre Peak located within the confines of Cooke's Canyon, and spawned Brian Garfield's, *Seven Brave Men* (New York: Magnum Books, 1962), Will Henry's, *The Seven Men at Mimbres Springs* (New York: Random House, 1958), and a number of serious, but hardly more accurate, articles in various magazines and journals. Contemporaneous documents are sparse regarding the incident, and the span of time and embellishment of retold versions of the tragedy have served to mask and distort the most basic facts.

48. William Wallace Mills, *Forty Years at El Paso, 1858-1898*, edited by Rex Strickland (El Paso: Carol Hertzog, 1962), pp. xv, 48-50 (hereafter cited as Mills, *El Paso*).

49. Roscoe Platt Conkling and Margaret B. Conkling, *The Butterfield Overland Mail, 1857-1869* 2 Vols. (Glendale: A. H. Clark Co., 1947), Vol. 2, pp. 115-118, unfortunately made a complete misinterpretation of the location of the stage station and incorrectly attributed the men's last stand to have taken place there. Others have placed the massacre site on a low ridge west of the spring because of a small barricade constructed there. First, the shelter is much too small, and second, it had existed at least since November 1846 as Cooke in *Senate Reports*, 31st Congress, Special Session, Executive Document 2 (1849), p. 18, recorded it at that time.

50. Again several sources, for example Bureau of Land Management, *National Register of Historic Places Inventory-Nomination Form* (Las Cruces: United States Department of the Interior, August 12, 1977), p. 7-8, have concluded that the low saddle near Massacre Peak was the site of the Freeman Thomas disaster because of two low barricades there, noted much earlier in Robert Eccleston, *Overland to California on the Southwestern Trail, 1849*, edited by George P. Hammond and Edward H. Howes (Berkeley: University of California Press, 1950), p. 171, and the mass grave near the road. This was the burial site for eight Mexican drovers, as will be shown later.

51. *Mesilla Times*, July 27, p. 1, July 29, p. 1, August 3, 1861, n.p.

52. The best example of this is by Woodworth Clum, *Apache Agent* (Lincoln: University of Nebraska Press, 1978), p. 42; in a simple 15-word sentence, the author commits 4 major and 2 minor errors, without mentioning the more common errors of the men working for Butterfield or fleeing Texas for their lives.

53. Mills, *El Paso*, p. 53. Some such as Oury, *Tucson Daily Star*, July 27, 1879, n.p., claimed to have obtained their detailed information about the fight from Cochise or other Apaches that were involved. Numbers for Apache casualties ranged from 25 to over 175. The *El Paso Herald*, September 20, 1920, pp. 1:6, 4:5, reported the dedication of a monument by Anson Mills in memory of the seven men. The monument still stands on the city library lawn and the plaque unfortunately includes several errors.

54. *Mesilla Times*, August 3, 1861, n.p. This contemporaneous source indicated that the men were buried by "[Alexandre] Daguerre and Thibault" after happening on the scene. However, this was still second-hand information and consideration must be given to others who claimed to have been involved in the interments.

55. Others who claimed to have buried the seven men are noted in Tevis, *Arizona*, pp. 229-230; Smith, *Oury*, pp. 119-120; Eugene O. Porter (ed.), "Letters Home, W. W. Mills Writes to His Family," *Password*, Vol. 18 (Spring, 1972), p. 18 (hereafter cited as Porter, "Letters"); Thomas Edwin Farish, *History of Arizona* 2 Vols. (Cleveland: The Arthur H. Clark Company, 1915), Vol. 2, p. 60; and Williams, "Old Timer's," pp. 46-47.

56. William Banning and George Hugh Banning, *Six Horses* (New York: The Century Co., 1930), p. 248.

57. *Mesilla Times*, August 17, 1861, p. 2:1; Martin Hardwick Hall, *Sibley's New Mexico Campaign* (Austin: University of Texas Press, 1960), p. 323

(hereafter cited as Hall, *Sibley's*). There was no record of Skillman's return, but he was soon back on the Rio Grande in the Confederate service.

58. *New Orleans Daily Picayune*, October 19, 1861, p. 1:6, copying the *Mesilla Times* of August 10 or 17.

59. *Mesilla Times*, August 24, 1861, p. 2. The 19th was a Monday and the previous Fridays were the 16th and 23rd.

60. Austerman, *Sharps Rifles*, p. 181. It would seem here that, if things had worked out, Giddings would have been paid for the April to August period by both government mail services.

61. *San Antonio Express*, May 4, 1902, p. 22:3.

62. *San Francisco Herald*, February 6, 1861, p. 3:3, copying the *Mesilla Times*, January 24, 1861.

63. *New Orleans Daily Picayune*, March 2, 1861, p. 6:1, copying the *Mesilla Times* of January 24.

64. Marjorie Tisdale Wolcott, (ed.), *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875* (Los Angeles: Marjorie Tisdale Wolcott, 1929), pp. 250-254 (hereafter cited as Wolcott, *Notes*).

65. F. S. Donnell, "The Confederate Territory of Arizona, from Official Sources," *New Mexico Historical Review*, Vol. 17 (Jan., 1942), p. 150; Odie B. Faulk, *Destiny Road* (New York: Oxford University Press, 1973), pp. 131-132 (hereafter cited as Faulk, *Destiny*); *Mesilla Times*, March 2, p. 2:2, 3, March 30, 1861, p. 1:3-5. According to Rex W. Strickland, "P. T. Herbert: Ante-Bellum Resident of El Paso," *Password*, Vol. 5 (Apr., 1960), pp. 44-48, Herbert had served a term in the Thirty-Fourth Congress (1855-57) for California before his constituents ostracized him for killing Patrick Keating, a waiter in Willard's Hotel in Washington, D. C., in self defense.

66. Faulk, *Destiny*, p. 137.

67. *Ibid.*, p. 130; Lynn Irwin Perrigo, *The American Southwest: Its Peoples and Cultures* (New York: Holt, Rinehart and Winston, 1971), p. 227 (hereafter cited as Perrigo, *Southwest*).

68. Emily Chase Giddings and Emmie [Giddings] Wheatley Mahon, "The Jackass Trail," *Password*, Vol. 2 (Aug., 1957), pp. 94-95, indicated that two ash trees at the corner of El Paso Street were used as community bulletin boards.

69. Anson Mills, *My Story* (Washington: Anson Mills, 1918), pp. 60-62 (hereafter cited as Mills, *My Story*). Mills claimed in later years that his was one of the only two votes cast against secession; if so, his brother W. W. must have been the other.

70. *Ibid.*, pp. 63-64. Reeve could not have been aware that Cameron had replaced Joseph Holt on March 5. Although Anson Mills commented on many of the events that took place in the turbulent early 1860s, including the fortunes and misfortunes that befell his brothers Emmett and W. W., much of what he had to say was based on hearsay and his personal opinions. Unfortunately, he was many times in error. Mills became a General in the impending Civil War and later made millions from his invention for weaving military gear.

71. *Mesilla Times*, May 11, 1861, p. 2:2.

72. *Ibid.* One wonders whether some of this ammunition was used against the Fort Fillmore troops about 10 weeks later.

73. *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* 70 Vols. in 128 parts (Washington: United States War Department, 1880-1901), Series 1, Vol. 1, pp. 514-515 (hereafter cited as *Official Records*). Twiggs' claim regarding ill health was substantiated when he passed away on July 15, 1862.

74. Ezra J. Warner, *Generals in Blue* (Baton Rouge: Louisiana State University Press, 1964), pp. 489-490 (hereafter cited as Warner, *Blue*. Sumner would be the oldest Corps commander in the Civil War. In spite of this fact he was criticized, after the battle of Sharpsburg in September 1862, for leading his troops like a Colonel of Cavalry rather than directing their efforts from a more safe headquarters.

75. Joycelyn J. Bowden, *The Exodus of Federal Forces from Texas, 1861* (Austin: Eakin Press, 1986), p. 38; Max L. Heyman, Jr., *Prudent Solder, A Biography of Major General E. R. S. Canby, 1817-1873: His Military Service in the Indian Campaigns, in the Mexican War, in California, New Mexico, Utah, and Oregon; in the Civil War, in the Trans-Mississippi West, and as Military Governor in the Post-War South* (Glendale: The Arthur H. Clark Company, 1959), p. 136.

76. Leon Claire Metz, *Fort Bliss: An Illustrated History* (El Paso: Mangan Books, 1981), p. 29 (hereafter cited as Metz, *Fort Bliss*). *San Antonio Alamo Express*, April 20, 1861, p. 2:6, copying the *Mesilla Times*, April 6, 1861. According to Warner, *Blue*, p. 142, William Hemsley Emory was the only officer in Confederate territory to have brought out his troops without the loss of a man.

77. Alwyn Barr (ed.), *Charles Porter's Account of*

the Confederate Attempt to Seize Arizona and New Mexico (Austin: The Pemberton Press, 1964), p. 24 (hereafter cited as Barr, *Porter's Account*).

78. *Official Records*, Series 1, Vol. 1, p. 606, Volume 4, pp. 55-56, 61.

79. Otis E. Young, *The West of Philip St. George Cooke, 1809-1895* (Glendale: The Arthur H. Clark Company, 1955), pp. 324-325.

80. *Ibid.*, p. 322; Ralph Paul Bieber (ed.), *Exploring Southwestern Trails, 1846-1854, Vol. 7* (Glendale: The Arthur H. Clark Company, 1938), p. 29. In the Peninsular Campaign Stuart's cavalry rode completely around the attacking Union Forces, including his father-in-law. Cooke was unjustly criticized for not catching Stewart even though he was forbidden to separate his cavalry from an infantry column. Stewart would die at Yellow Tavern in 1864.

81. Much has been made of Canby and Sibley having been brothers-in-law. This was not true, although it is possible that Sibley married a cousin of Canby's wife.

82. *Los Angeles Star*, August 3, 1861, p. 2:5, copying the *Mesilla Times* of June 23, 1861.

83. William Aloysius Keleher, *Turmoil in New Mexico, 1846-1868* (Albuquerque: University of New Mexico Press, 1982), pp. 147-148 (hereafter cited as Keleher, *Turmoil*); Lee Myers, "Military Establishments in Southwestern New Mexico: Stepping Stones to Settlement," *New Mexico Historical Review*, Vol. 43 (Jan., 1968), p. 18 (hereafter cited as Myers, "Stepping Stones").

84. *Los Angeles Star*, August 3, 1861, p. 1:5, copying the *Mesilla Times* of June 30, 1861.

85. Mills, *El Paso*, p. 42.

86. Keleher, *Turmoil*, p. 148.

87. Hattie M. Anderson, "With the Confederates in New Mexico During the Civil War - Memoirs of Hank Smith," *The Panhandle–Plains Historical Review*, Vol. 2 (1929), p. 65-68 (hereafter cited as Anderson, "Hank Smith").

88. Mills, *El Paso*, pp. 44-47; Porter, "Letters" (Spring, 1972), pp. 11, 16, (Summer, 1972), p. 74. On two occasions, October 25 and December 3, 1861, Mills wrote his father admitting that he was employed by Major Lynde as a spy. In a later letter, he denied this.

89. Mills, *El Paso*, pp. 47-50; Dan L. Thrapp, *Victorio and the Mimbres Apaches* (Norman: University of Oklahoma Press, 1974), p. 75 (hereafter cited as Thrapp, *Victorio*).

90. Keleher, *Turmoil*, p. 147; Hall, *Sibley's*, p. 76; Martin Hardwick Hall, *The Confederate Army of New Mexico* (Austin: Presidial Press, 1978), pp. 19-20 (hereafter cited as Hall, *Confederate Army*); According to the *New Orleans Daily Picayune*, August 6, 1861, p. 1:6, copying the *Mesilla Times* of July 7, the Confederates would shortly have 6 companies of regulars and 1 of El Paso County volunteers for a total of 640 men.

91. Hall, *Confederate Army*, pp. 345-346.

92. *San Antonio Herald*, September 13, 1862, p. 2:2; Mills, *El Paso*, p. 39.

93. Porter, "Letters" (Spring, 1972), pp. 11-13. Mills claimed in the same letter that he and Baylor were friends and that compared to Hart, Baylor was a Saint. Hart in the meantime, according to Joseph Allen Stout, Jr., *Apache Lightning* (New York: Oxford University Press, 1974), p. 38, had cut his potential losses from Union reprisals by selling a wagon train he had been operating between El Paso and Santa Fe to Juan Ruiz of Albuquerque for $5,000.

94. Mills, *My Story*, p. 72.

95. John Philip Wilson, "Retreat to the Rio Grande: The Report of Captain Isaiah N. Moore," *Rio Grande History*, Vol. 2 (Winter, 1974-75), pp. 4-7 (hereafter cited as Wilson, "Retreat").

96. *Ibid.*, Moore later claimed that Grant requested his mills and warehouses be burned to prevent potential use by the Confederates. Lord's report contradicted this and is probably closer to the truth.

97. *Ibid.*; Pedersen, "A Yankee," pp. 133-34. Grant's concern was not without foundation; it would require until January 25, 1898, to obtain a partial settlement for the stores burned at Tucson.

98. Wilson "Retreat," pp. 4-7; *Official Records*, Series 1, Vol. 9, p. 708. It is probable that he was a relative of E. J. White killed near Mesilla while en route to Fort Buchanan.

99. Wilson, "Retreat," p. 7.

100. *Ibid.*, pp. 5, 8.

101. Hall, *Confederate Army*, p. 20.

102. Stanley Crocchiola, *The Civil War in New Mexico* (Denver: The World Press, Inc., 1960), p. 135 (hereafter cited as Crocchiola, *Civil War*); *Mesilla Times*, July 27, 1861, p. 1:3.

103. Keleher, *Turmoil*, pp. 148-149; *Mesilla Times*, July 27, 1861, p. 1.

104. Keleher, *Turmoil*, p. 150; *Mesilla Times*, July 27, 1861, p. 1.

105. Barr, *Porter's Account*, p. 25; *Mesilla Times*, August 3, 1861, n.p.

106. Keleher, *Turmoil*, p. 218.

107. William Preston Johnston, *The Life of General Albert Sidney Johnston Embracing His Services in the Armies of the United States, the Republic of Texas, and the Confederate States* (New York: D. Appleton and Company, 1879), pp. 262-280 (hereafter cited as Johnston, *A. S. Johnston*); Most of the men's names can be found in the *New Orleans Bee*, August 26, 1861, p. 2:4, copying the *Mesilla Times* of August 3, 1861. Only 31 names are listed, but the omission of "Ran" Randolf, Johnston's manumitted former slave, and guide Dr. Carman Frazee make up the proper number.

108. Johnston, *A. S. Johnston*, pp. 279-280; The moon was in a waning quarter at the time. According to Gary W. Kronk, *Comets: A Descriptive Catalog* (Hillside, New Jersey: Enslow Publishers, 1984), pp. 1, 51, this was Tebbutt's Comet, frequently, and for obvious reasons, called the Great Comet of 1861. The moon would be full again on July 2.

109. Johnston, *A. S. Johnston*, pp. 282-283.

110. *Ibid.*, pp. 284-285. This author claimed that Johnston's party passed Dragoon Springs only 36 hours ahead of a task force sent by General Canby to intercept them.

111. *Ibid.*, p. 285.

112. *Ibid.*, p. 291.

113. *Ibid.*, pp. 285-288; Anderson, "Indian Fighting,", p. 105. After missing the interception of the Fort Buchanan troops, Johnston continued toward Richmond and his appointment with death on the Shiloh battlefield on April 6, 1862, as one of the 10,694 Confederate casualties.

114. Anderson, "Hank Smith," pp. 82-88.

115. *Ibid.*, p. 88; Wilson, "Retreat,", p. 8.

116. Wilson, "Retreat," p. 8.

117. Anderson, "Hank Smith," p. 88; *Mesilla Times*, August 24, 1861, p. 2:1.

118. *Official Records*, Series 1, Vol. 4, pp. 20-21.

119. Randy Steffen, *The Frontier, the Mexican War, the Civil War, the Indian Wars, 1851-1880* Vol. 2 of *The Horse Soldier: 1776-1943*, 4 Vols (Norman: University of Oklahoma Press, 1979), p. 67 (hereafter cited as Steffen, *The Frontier*). This action, ending debates started in 1855, also renamed the First and Second Dragoons as the First and Second Cavalry, respectively. The First, Second, and Third Cavalry were redesignated the Fourth, Fifth, and Sixth Cavalry, respectively.

120. Mills, *El Paso*, p. 56. From Porter, "Letters," (Spring, 1972), p. 11, it is entirely possible that some of the major material from W. W. Mills' book was not written from memory at that late date. In a letter to his father, Mills stated: "Before I left El Paso I wrote a very long history of my adventures during the last three months [July-September] and left it in the care of a friend . . . ."

121. *Mesilla Times*, August 24, 1861, p. 2:3.

122. *Ibid.*, p. 2:2; Walker, "Probate," p. 294.

123. *Official Records*, Series 1, Vol. 4, pp. 26-32.

124. *Mesilla Times*, August 17, 1861, p. 2:1; Hall, *Sibley's*, pp. 325-326.

125. Williams, "Old Timer's," pp. 47, 50. Wordsworth's widow later married Jack Martin, who owned the noted well at Aleman, on the Jornada del Muerto.

126. James B. O'Neil, *They Die But Once, the Story of a Tejano* (New York: Knight Publications, Inc., 1935), p. 8, 39-40 (hereafter cited as O'Neil, *Tejano*); Nancy Hamilton, "The Great Western," *The Women Who Made the West* (Garden City: Doubleday & Company, Inc., 1980), p. 195. It is not clear from the evidence presented that Sarah Bowman continued beyond Tucson into the Apache trap with the group as argued by Hamilton.

127. Depending on the date, the rescue party could have included the Arizona Guards, from Pinos Altos, and the Arizona Rangers, from the Mesilla Valley.

128. Hattie M. Anderson, "Mining and Indian Fighting in Arizona and New Mexico, 1858-1861: Memoirs of Hank Smith" *The Panhandle–Plains Historical Review*, Vol. 1 (1928), pp. 101-104 (hereafter cited as Anderson, "Indian Fighting"); O'Neil, *Tejano*, pp. 41-46. Perhaps the "bloated men" were Anton Brewer's herders.

129. Anderson, "Indian Fighting," p. 105; This grave, so close to the site of the Freeman Thomas massacre, has been misinterpreted as the mass burial of that earlier party. Conceivably, the order of the two attacks was inverted and the report of the nine Mexicans killed referred to Anton Brewer's crew rather than the Freeman Thomas party, however, it is immaterial.

130. *New Orleans Delta*, October 27, 1861, p. 1:4, copying the *Mesilla Times* of October 17, 1861.

131. *New Orleans Daily Picayune*, October 19, 1861, p. 1:6, copying the *Mesilla Times* of August 17.

132. Paul Iselin Wellman, *Death in the Desert: The Fifty Years' War for the Great Southwest* (New York: The Macmillan Company, 1935), p. 71 (hereafter cited as Wellman, *Death*). Mastin and his men returned to Pinos Altos the night before the attack. Had Mangas Coloradas struck 24 hours earlier, the outcome might well have been disastrous for the miners.

133. R. S. Allen, "Pinos Altos, New Mexico," *New Mexico Historical Review*, Vol. 23 (Oct., 1948), pp. 303-304; Martin Hardwick Hall, "Captain Thomas J. Mastin's Arizona Guards, C. S. A.," *New Mexico Historical Review*, Vol. 49 (Apr., 1974), pp. 144-146 (hereafter cited as Hall, "Arizona Guards"). The lowest estimate for the attacking Apaches was used; Fayette Alexander Jones, *New Mexico Mines and Minerals* (Santa Fe: The New Mexico Printing Company, 1904), p. 48, placed the number at an absurd 500 warriors. The Arizona Guards did not follow Brigadier General Henry Hopkins Sibley in his 1862 invasion of New Mexico but remained as a sort of rear guard. The unit was reorganized on July 1, 1862, and became one of the three cavalry companies forming Colonel P. T. Herbert's battalion and was among the last to withdraw from the occupied territory.

134. *Mesilla Times*, October 17, 1861, p. 2:3.

135. *New Orleans Delta*, October 31, 1861, n.p., copying the *Mesilla Times* of October 3, 1861.

136. *Houston Telegraph*, November 1, 1861, p. 3:2, copying the *Mesilla Times* of October 10, 1861.

137. Ray Charles Colton, *The Civil War in the Western Territories* (Norman: University of Oklahoma Press, 1959), pp. 123-124.

138. Anderson, "Hank Smith,", p. 89; *Mesilla Times*, December 19, 1861, n.p.; Faulk, *Destiny*, p. 139, claimed that the two fought a knife duel. This is erroneous; Kelley admitted to having a small knife in his hand but had no opportunity to use it.

139. Martin Hardwick Hall, "The Baylor-Kelley Fight: A Civil War Incident in Old Mesilla," Vol. 5 (July, 1960), p. 88.

140. Hall, *Confederate Army*, pp. 15-17; Metz, *Fort Bliss*, p. 30. Despite Sibley's low standing in the West Point class of 1838 (ranked 31st out of 45), he later invented the Sibley Tent and the accompanying stove that became a military standard. Steffen, *The Frontier*, p. 50. Of the $37.50 the government paid for each tent, $5 went to Sibley.

141. *Mesilla Times*, January 1, 1862, p. 2. Kelley was 38 years old.

142. *Ibid.*, January 8, 1862, p. 2:1.

143. Faulk, *Destiny*, p., 140; Thrapp, *Victorio*, pp. 78-79.

144. *Mesilla Times*, January 8, 1862, p. 2:1.

145. *Houston Telegraph*, November 1, 1861, p. 3:2, copying the *Mesilla Times* of October 10, 1861; Anderson, "Hank Smith," pp. 89-90. Appelzoller was a baker in business with a man named Freitze in Mesilla.

146. Mills, *El Paso*, p. 73, erroneously claimed that Lemon later escaped and made his way to Fort Craig. *Official Records*, Series 1, Vol. 50, Part 1, p. 124, indicated that he was included in a July 1862 prisoner exchange with Captain William McCleave. Appelzoller was apparently released at a later time.

147. *Mesilla Times*, January 15, 1862, p. 2:1.

148. Wolcott, *Notes*, p. 263.

149. *Mesilla Times*, January 15, 1862, p. 2:2.

150. Porter, "Letters," (Summer, 1972), p. 78.

151. Hall, *Confederate Army*, p. 23; Francis Stanley, *The Fort Thorn New Mexico Story* (Pep, Texas: Private Publication, 1965), pp. 14-15. Captain Joseph Magoffin, James Wiley Magoffin's 25-year-old son, was one of Sibley's staff.

152. *San Antonio Herald*, September 13, 1862, p. 2:2.

153. Hall, *Confederate Army*, p. 373. Wayne R. Austerman, "Captain Madison and 'The Brigands,'" *Password*, Vol. 32 (Spring, 1937), p. 27, indicated that The Brigands totaled over 30. The two sources may not be in conflict if most of the unit's members were Texans.

154. Charles Leland Sonnichsen, *Roy Bean, Law West of the Pecos* (Old Greenwich, Connecticut: The Devin-Adair Company, 1943), pp. 43-44.

155. *Ibid.*, p. 44.

156. Jefferson Finis Davis, "Proclamation of the President of the Confederate States of America," *Confederate War Journal*, Vol. 1 (Oct., 1893), p. 101.

157. Keleher, *Turmoil*, p. 265. Congress must have been ignoring what was happening in the Southwest, because in April a bill was introduced in the House of Representatives to separate Arizona and New Mexico into two Territories, along a north-south line. President Lincoln signed the measure on February 24, 1863.

158. Faulk, *Destiny*, pp. 150-152.

159. For those more interested in these affairs, and the people involved, consult either *Sibley's New*

Mexico Campaign or *The Confederate Army of New Mexico* by Martin Hardwick Hall, or *Turmoil in New Mexico, 1846-1868* by William Aloysius Keleher, or similar well researched works, or the incomparable *Official Records*.

160. Hall, *Confederate Army*, p. 27.

161. Chris Emmett, *Fort Union and the Winning of the Southwest* (Norman: University of Oklahoma Press, 1965), pp. 268, 270; Haley, *Apaches*, p. 231.

162. Hall, *Confederate Army*, pp. 295-300.

163. *Official Records*, Series 1, Vol. 50, Part 1, p. 942. Helm and some of his Arizona Guards had apparently joined Hunter's forces in Tucson temporarily.

164. Martin Hardwick Hall, "Notes and Documents - John M. Chivington," *New Mexico Historical Review*, Vol. 33 (Apr., 1958), pp. 151-152. Earlier, anticipating a Confederate attack on Fort Union, Slough's men had made an incredible 65-mile march in two days without stopping at night.

165. Keleher, *Turmoil*, pp. 226-241. Other units had already proceeded toward Tucson.

166. Darlis A. Miller, "Los Pinos, New Mexico: Civil War Post on the Rio Grande," *New Mexico Historical Review*, Vol. 62 (Jan., 1987), pp. 3-4.

167. Hall, *Confederate Army*, pp. 33-37.

168. *Ibid.*, pp. 361-365; Douglas De Veny Martin, *Yuma Crossing* (Albuquerque: University of New Mexico Press, 1954), pp. 217-218. According to Bernard L. Fontana, "The Westernmost Skirmish of the Civil War," *Arizona Highways*, Vol. 63 (Jan., 1987), p. 28, one of the California scouts, Private William Semmilrogge, was wounded in the shoulder at Gila Bend, approximately 75 miles west of the Picacho engagement, however, no mention was made of an exchange of shots that would qualify the incident as a skirmish or engagement.

169. Smith, *Oury*, pp. 91-92; Hall, *Confederate Army*, pp. 355-356.

170. Austerman, *Sharps Rifles*, p. 187; Hall, *Confederate Army*, pp. 38-39, 243-245.

171. Hall, "Arizona Guards," pp. 146-150.

172. Wellman, *Death*, pp. 72-73; *Official Records*, Series 1, Vol. 9, p. 565.

173. Perrigo, *Southwest*, p. 236.

174. Darlis A. Miller, "Hispanos and the Civil War in New Mexico, a Reconsideration," *New Mexico Historical Review*, Vol. 54 (Apr., 1979), pp. 116-118.

175. *Ibid.*, p. 109.

176. Warner, *Blue*, p. 62. Butterfield had previously received the Medal of Honor for his actions at Gaine's Mill in July.

177. Darlis A. Miller, *The California Column in New Mexico* (Albuquerque: University of New Mexico Press, 1980), p. 4; John Philip Wilson, *Historical Profile of Southwestern New Mexico*, Report No. 21 (Las Cruces: New Mexico State University, 1975), p. 66; *Official Records*, Series 1, Vol. 9, p. 565, Vol. 50, Part 1, pp. 93-94.

178. Thrapp, *Victorio*, p. 344.

179. Arrell Morgan Gibson, *The Life and Death of Colonel Albert Jennings Fountain* (Norman: University of Oklahoma Press, 1965), p. 14 (hereafter cited as Gibson, *A. J. Fountain*); Aurora Hunt, *Major General James Henry Carleton, 1814-1873: Western Frontier Dragoon* (Glendale: The Arthur H. Clark Company, 1958), p. 215.

180. Keleher, *Turmoil*, p. 212; Crocchiola, *Civil War*, pp. 173-174; John Myers Myers, *I, Jack Swilling* (New York: Hasting House Publications, 1961), p. 230.

181. Keleher, *Turmoil*, pp. 240-241.

182. *Deming Headlight*, April 26, 1902, p. 1:5. In later years, at his Hot Spring resort, about 20 miles northwest of present-day Deming, Hudson would have available all the water anyone could want, hot or cold.

183. *Official Records*, Series 1, Vol. 9, p. 553.

184. *Ibid.*, pp. 554, 557; Series 1, Vol. 50, Part 1, pp. 95-98, 119. See also Homer Wilkes, "Expressman Jones," *Old West*, Vol. 16 (Fall, 1979), passim, for an excellent reconstruction of the events.

185. In the early days of single-action revolvers, it was standard practice to leave the chamber under the hammer unloaded to preclude accidental discharge.

186. *Official Records*, Series 1, Vol. 9, pp. 554, 557, Vol. 50, Part 1, pp. 95-98, 119. There is an excellent probability that it was this John Jones who later caused commanders at Fort Cummings much concern for having been allowed, by Carleton, to construct a substantial building near the spring. It was also indicated that John Lemon was arrested for having provided horses for Jones' attempted escape. Quite possibly both stories are true.

187. *Ibid.*, p. 1147.

188. *Ibid.*, Vol. 9, p. 562; Utley, *Frontiersmen*, p. 233.

189. Giddings and Butterfield placed this distance at about 305 miles. According to *Official Records*,

Series 1, Vol. 50, Part 2, p. 362, a military survey conducted by Major David Fergusson in March 1863, indicated a distance of 261.87 miles so either the road the military used included a significant shortcut or the stage station logs (Appendix C) are in serious error.

190. *Ibid.*, Part 1, pp. 98, 120-124.

191. The messages carried by the two couriers and Milligan were not found when the *Official Records* were prepared.

192. *Official Records*, Series 1, Vol. 50, Part 1, pp. 120-124.

193. Henry Pickering Walker (ed.), "Soldier in the California Column - the Diary of John W. Teal," *Arizona and the West*, Vol. 13 (Spring, 1971), p. 40 (hereafter cited as Walker, "California Column"); *Official Records*, Series 1, Vol. 50, Part 1, p. 130.

194. Victorio, Geronimo, Nana, Juh, and other future Apache leaders were in the group also.

195. John Carey Cremony, *Life Among the Apaches* (Tucson: Arizona Silhouettes, 1951), pp. 160-164 (hereafter cited as Cremony, *Apaches*); Walker, "California Column," pp. 40-42, 49; *Official Records*, Series 1, Vol. 50, Part 1, pp. 93, 128-134, Vol. 9, p. 565. Fountain later claimed in Gibson, *A. J. Fountain*, pp. 17-19, to have led a bayonet charge to the crest of one of the hills.

196. In his memoirs Teal was very critical of Cremony, saying that he did not "believe any thing he says except when he says he wants whiskey."

197. Cremony, *Apaches*, pp. 160-164; Walker, "California Column," pp. 40-42, 49; *Official Records*, Series 1, Vol. 50, Part 1, pp. 93, 128-134, Vol. 9, p. 565.

198. Keleher, *Turmoil*, pp. 253-254; National Park Service, *Trail Guide to Fort Bowie, Fort Bowie National Historic Site* (Tucson: Southwest Parks and Monuments Association, 1987), p. 13; *Official Records*, Series 1, Vol. 50, Part 1, pp. 90-91. Carleton named the primitive installation Fort Bowie after its first commander, Colonel George Washington Bowie. The facility would later be moved further from the spring and significantly enlarged. It would not be abandoned until October 17, 1894.

199. Walker, "California Column," pp. 42-44.

200. *Official Records*, Series 1, Vol. 9, pp. 570-571.

201. Walker, "California Column," p. 44.

202. *Official Records*, Series 1, Vol. 9, p. 572. Robert Marshall Utley, *A Clash of Cultures: Fort Bowie and the Chiricahua Apaches* (Washington: National Park Service, 1977), p. 27.

203. *Official Records*, Series 1, Vol. 9, pp. 567-568.

204. *Ibid.*, p. 577.

205. Walker, "California Column," pp. 44-45. According to a footnote in this source, Beckwith escaped and in later years he and his sons were involved in the New Mexico Lincoln County War.

206. *Official Records*, Series 1, Vol. 9, pp. 580, 582.

207. *Official Records*, Series 1, Vol. 50, Part 1, p. 1095, Part 2, p. 181.

Chapter 6

A Decade of Turmoil and Military Construction, 1863-1873

Without any Texas invaders left to fight, and denied their request to pursue the Confederates into the heart of Texas, the new military leaders established several additional posts and forts in locations of strategic importance. In addition to trying to prevent further depredations, a policy was implemented to force all the Indians, regardless of existing intertribal hostilities, to live on a common reservation and produce a large portion of their own upkeep. This grandiose plan was simultaneously a success and a failure.

It was a failure in that the plan did not accomplish the peaceful amalgamation of the Indians into White ways, and the Apaches forever mistrusted anything to do with forced concentration on a government designated reservation. The plan was a success in that it further weakened the Apaches; and the Navajos, heretofore a serious menace to peaceful settlement, never again seriously threatened White expansion.

New installations at critical water sources on the southern road west provided an increased level of protection to all who traveled the road in either direction. Many of the men from California who constructed and garrisoned these posts and forts during the Civil War years did not stray far after their discharge from the volunteer army. Lured by glittering precious metals, dark-eyed Mexican beauties, political aspirations, and potential fortunes in ranching, farming, and various military-supply-oriented businesses, they made their new homes in the Southwest.

Following the Civil War the Volunteer organizations were quickly disbanded. However, some of the units in the West, such as the California Veteran Volunteers, were still engaged in fighting the Indians. During the same period, the regular army underwent significant reduction. As a result, many officers who had achieved high brevet or permanent rank were offered the choice of reduced commissions, retirement, or discharge. The enlisted men suffered also in that many of the stores left over from the war, edible and otherwise, were issued regardless of quality.

The Southwest continued to be a problem. The Apaches, though suffering constant attrition attributable to repeated confrontations, continued to resist the encroachment of the military, miners, ranchers, and farmers. The Anglos, however, did not suffer the problem of irreplaceable losses to their society. The displacement of Southern civilians, because of war-induced economic disasters or unwillingness to live under federal carpetbaggers and the need for more room, sent a new flood of humanity west seeking their fortunes either in land, minerals, business, politics, or some combination thereof. The Indians were in the way, despite attempts to confine them to reservations, and they continued to resist the encroachment on their homelands. During these periods, Massacre Peak silently witnessed more bloodshed at its feet, adding to the already sinister reputation of Cooke's Canyon.

Carleton's Indian Policy and the Death of Mangas Coloradas

With the Confederates gone, except for some prisoners left behind at Santa Fe, Socorro and El Paso, and citizen affairs generally quiet, General James Henry Carleton turned his attention to solving the Indian problem and reopening the much bloodied road back to California. His orders for action against the Indians differed from Lieutenant Colonel John Robert Baylor's only in that he reserved killing for the adult males rather than both

sexes and that the children were to be sent to schools or reservations rather than sold into slavery. Accordingly, Carleton unleashed his California and New Mexico Volunteers on the Navajos and the Apaches, although in the latter case he directed his initial campaign primarily against the Mescaleros.[1]

In the grand solution for the Indian problem, General Carleton conceived two plans. The first plan was for a large reservation on which he could settle each band or tribe as they were subjugated, and the second plan was for a series of new or reestablished forts to control those Indians he had not yet dealt with. The first idea resulted in Fort Sumner and the Bosque Redondo Reservation.[2] The second led to the establishment of the following installations:

Fort West	February 24, 1863
Fort Goodwin	May 1, 1864
Fort McRae	April 3, 1863
Fort Selden	May 8, 1865
Fort Cummings	October 2, 1863
Fort Bayard	July 26, 1866.

After getting the campaign against the Mescalero Apaches firmly under control, Carleton's next move was against the Mimbres Apaches. He was particularly obsessed with controlling or destroying Mangas Coloradas, of whom it was said had been the cause of more mayhem than all the other Apache chiefs combined. On January 2, 1863, Carleton made his first move to send expeditions into the mountains occupied by the Mimbres and their allied bands. As a partial justification for the campaign Carleton used the unexploited mineral richness of the area and the protection of the miners around Pinos Altos.[3]

About this time Captain John Carey Cremony, who would soon be stationed at the Bosque Redondo Reservation, claimed to have been the first to pass through Cook's Canyon after the massacre of a wagon train there. The Apaches had successfully attacked a Mexican wagon train in the canyon and carried off all of the women and children, but not before lashing the eight men upside-down to their wagon wheels and building a small fire under each, slowly roasting their brains.[4]

As part of his move to control the Apaches in general and Mangas Coloradas in particular, General Carleton reactivated Fort McLane in January 1863. He sent Joseph Rodman West, promoted the previous month to General, to take control of the situation. West moved out with a large column but sent Captain Edmund D. Shirland on ahead on January 14 with a patrol of 20 Californians to the Pinos Altos area to seek out the Apaches.[5]

In the meantime, in late 1862, a party of 33 men and 50 pack animals had entered the mountain domain of Mangas Coloradas whose warriors had kept them bottled up. The prospectors were led by an old friend of "Kit" Carson, 63-year-old Joseph Reddeford (or Rutherford) Walker, and were attempting to get to Tucson or perhaps farther. They had been increasingly harassed by the Apaches especially after passing below Fort Craig. They had entered the area via Cooke's Spring where the only way they could obtain water was by driving the Apaches back with rifle fire.

Still maneuvering to elude the Apaches, Walker's party proceeded along the old Southern Route to California and came across the aftermath of two examples of Mangas's favorite games. Near Stein's Peak they found three men hung by their ankles over small fires and at another location found eight people also partially burned but with the added twist of tying some of the victims to cactus plants before burning them. In both cases Walker's men took time for only the shallowest of burials.[6]

The prospectors then made their way back to a place where a hot spring and a cold spring flowed from the ground in close proximity to each other (present-day Faywood Hot Springs). Walker's men holed up in abandoned Fort McLane for several weeks because they had sufficient supplies and could not safely break the Apache cordon. Neither were the Indians willing to mount a frontal attack on the large group of experienced frontiersmen.

At this point the advanced patrol led by Captain Shirland arrived, and a plan was concocted to satisfy the needs of the military and the desires of the prospectors. John William "Jack" Swilling, others of Walker's party, and some of the soldiers went to Pinos Altos and under a white flag, negotiated a parley with Mangas and a few of his men. Mangas agreed to go to the old fort and talk with the soldiers and prospectors.[7] In the meantime General West had arrived with the rest of his column. Several witnesses later recorded different stories with regard to what happened the night of January 18-19, but the important issue is that during the night,

Mangas was shot several times by two guards and killed.[8]

After Mangas was shot, Daniel Ellis Conner claimed that he salvaged a wooden trinket carried by Mangas.[9] Witnesses claimed that Mangas's oversize head was first scalped (by John J. Wright), then cut off and the flesh stripped (by a Doctor Sturgeon), and that the skull was sent to a New York museum.[10]

Following the killing of Mangas Coloradas, the soldiers lost no time in perpetrating more revenge on his people. Captains Shirland and William A. McCleave were sent before first light to Pinos Altos where the other Apaches were awaiting Mangas's return. In two separate ambushes on January 19, 11 Indians were killed, including Mangas's son, and his widow (Mangas's) was wounded.[11] This led to a series of sharp skirmishes between the troops and the Apaches (Table 2).[12] And on it went, raid, counterattack, ambush, and retaliation. Walker and his party, however, made it safely to Tucson. General West left Captain McCleave in command at the fort and and returned to his Mesilla headquarters.[13]

Table 2. Results of skirmishes between U.S. Troops and the Apaches

January 20	9 Indians killed, several wounded
January 29	20 Indians killed, 15 wounded
	1 soldier killed, 1 Sergeant wounded
March 22 and actions related thereto:	
	28 Indians killed, many wounded
	2 soldiers wounded, 1 mortally
June 15	1 soldier killed, 1 civilian killed
June 20	2 soldiers killed, 2 civilians killed
	2 soldiers killed, 2 civilians wounded
July 4	4 Indians killed
July 11	4 Indians killed, several wounded
	4 soldiers killed
July 19	6 Indians killed, several wounded
	1 soldier killed, several wounded
	3 Indians killed, several wounded
	4 soldiers killed
July 24	Indian losses unknown
	1 soldier killed, 1 wounded

The violence in the mountains spelled a short life for Fort West, or perhaps it was a show of pique by General Carleton because of his and General West's increasingly sharp differences. For whatever reason, Fort West was ordered abandoned on Christmas Day 1863. The command left in two sections on January 1 and 8 after stripping the post of all usable hardware. The Apaches torched the buildings before the soldiers were out of sight.[14]

Fort Cummings: A Guardian of the Road

The attacks on General Carleton's men in Apache Pass signaled that the important water source there required constant protection if his vedettes and citizens were to have uncontested access to it. The military presence, established by Captain Thomas L. Roberts in July 1862, became Fort Bowie and was destined for expansion into a large installation that would remain active until 1892. Perhaps because the Apaches waged no similar contest against the California Column in Cooke's Canyon or at the spring, the Apaches' concentration in the area went unrecognized for a few months.

Certainly Carleton recognized the necessity for strategic installations to secure access to the water sources and guard the much used roads. On April 3, 1863, he established Fort McRae near present-day Truth or Consequences. The Fort was named for Captain Alexander McRae, killed February 21 the previous year, when he unsuccessfully defended his battery against a desperate Confederate charge that turned the tide of battle at Valverde. Captain Henry A. Greene was the first commander at this installation.[15]

Following the murder of Mangas Coloradas and the intensification of the war with his people, it is likely that at least a detachment of men was stationed at Cooke's Spring to guarantee access to the water. If not, there should have been. On July 11, 1863, Sergeant E. W. Hoyt was in command of a six-man detail freighting four mule-drawn wagons headed for Las Cruces. The Apaches attacked them in Cooke's Canyon. It must have been a severe fight, for although the soldiers suffered 4 men wounded and abandoned 3 of the wagons and 19 mules, they claimed to have killed 4 Indians and wounded others.[16]

A sizable Apache force must have been operating in the vicinity. The following day, Captain Albert H. French, with 27 men, attacked a superior force near Fort Thorn. Of the 60 Apaches, French claimed the

soldiers killed 10 Indians and captured 4 horses. The military casualties were limited to the wounding of a Sergeant Walsh and a farrier recorded only as Burns.[17] On July 24 another military wagon outfit was attacked in Cooke's Canyon. Lieutenant John Lambert and his men lost 2 wagons and 12 mules, while a Private Queen was killed and a Sergeant Hance (or Hantz) was twice wounded. There was no report on Indian casualties.[18]

It did not take General Carleton long to determine that he had a serious problem brewing at Cooke's Canyon, and he moved quickly to correct the situation. On August 7 he ordered General West to consider an appropriate location for an adobe fort near Cooke's Spring and to estimate the cost and time required to construct the facility. It was not until September 30, however, that a board of officers was directed to proceed to Cooke's Spring and select the site for a post with sufficient space to house an Infantry company, at least a half-company of Cavalry, and incorporate protected corrals for securing the horses and a small beef herd. The board recommended that the fort be established on top of the hill next to the old stage station, but due to later decisions the site was placed much closer to the spring.[19] The hill next to the station did not offer sufficient level space for the fort and an adjacent hill made it vulnerable to enemy fire. The post cemetery was established later at this site.

Whether the specific site had been selected or not, by September 30 the name, Fort Cummings, was agreed upon. Major Joseph Cummings, First New Mexico Cavalry, was cut down on August 18 while in pursuit of some Navajo hostiles near Canyon Bonito.[20] West directed that a lieutenant and 20 men of First Cavalry California Volunteers be stationed at Fort Cummings and be responsible for the semi-monthly express between Fort Cummings and Fort Bowie.[21]

Regardless of the directive to establish the new post with a cavalry lieutenant in charge, it was Captain Valentine Drescher, First Infantry California Volunteers, who left Fort West on September 28 and marched to Cooke's Spring. Previously he had been in command at Fort West but had incurred West's disapproval when he did not respond properly when some horses were stolen from the post by Indians. As a result, Carleton ordered Drescher replaced so Drescher turned Fort West over to Captain James H. Whitlock and left for his new assignment.[22] On October 2, Captain Drescher and his men arrived at Cooke's Spring and established a permanent post there. On the last of the month he reported 46 men, including himself, present.[23] For the next quarter of a century Fort Cummings, manned by either California or New Mexico Volunteers or United States Army regulars, played an important role in the Indian wars that periodically erupted in the Southwest.

Construction did not start immediately. With only a few men and fewer tools and supplies, the construction of Fort Cummings did not get under way until almost the end of the year. The soldiers did make a couple of trips to abandoned Fort Thorn to salvage any usable materials overlooked by civilian scavengers.[24]

During November Captain Drescher and his men were occupied preparing to spend the winter. Several trips were made to Pinos Altos for lumber and vigas for construction of the fort.[25] In addition, with cold weather coming, they built some temporary winter quarters. All was not well, however, as Drescher complained to his headquarters at Mesilla that he had been sent the wrong ammunition for his men. The cartridges were too small for the infantry muskets, and they could be rammed down the barrel, paper and all, inviting a misfire.[26]

In December, by order of Captain Drescher, Second Lieutenant Sidney R. DeLong wrote Charles T. Hayden that no liquor sales "of any description" would be allowed about the post and any infractions would be severely punished.[27] Either one of the early adobe contractors hired by the military had caused a problem or a self-appointed sutler had established a business near Fort Cummings.

With cold weather settled in, Captain Drescher took off with 40 men on a 20-day patrol looking for Apaches, who had also camped for the winter, and left Lieutenant DeLong in somewhat of a predicament. Drescher had taken both teams stationed at the post; therefore the 10 cavalrymen and 10 infantrymen left had no way to haul firewood from the nearest point 8 miles away, and they had only one day's supply when Drescher left.[28] DeLong was probably stretching the truth a little. Later reports indicate that there was plenty of wood four and one-half miles from the spring. DeLong left no record of how he solved his dilemma.

Captain Drescher was not the only one found going out on Indian hunts in the middle of winter. In

February, after receiving intelligence reports that the Apaches planned to raid Pinos Altos again, Captain Whitlock, soon to be the new commander at Fort Cummings, made a forced night march to the settlement and dealt the Indians a surprise blow killing all but 6 of the 19 would-be raiders including the leader. However, he failed to make contact with another war party in mid-March and the Apaches doubled back after distracting Whitlock's attention, stole 72 animals from a government train camped at Ojo la Vaca, and left the train helpless to proceed. Again Whitlock and his men made a demanding forced march, surprised the Apaches (killing 21), and recovered nearly all the government stock.[29]

In April many of the Californians' terms of service had expired. After much debate, units were allowed to select their point of discharge, either New Mexico Territory or California. Many of the Column Men or California Boys, as they were called in years to come, elected to seek their economic and political fortunes in New Mexico. Some elected to reenlist as California Veterans. Others desired, for various reasons, to have the army furnish the expense of their return to California, the origin of their enlistment.[30]

Private John W. Teal was in one of the groups that elected to return to the coast for discharge. On April 11, 1864, his Company left the Mesilla Valley and formed an escort for Major Thomas J. Blakeney. The following day they passed by Cooke's Spring at half-past two in the afternoon, marched to the Mimbres River, and camped there. He noted that Company B of the reenlisted First California Veteran Volunteer Infantry was at Cooke's Spring and that three California companies, E of the First Cavalry and F and I of the Fifth Infantry, were at the Mimbres.[31]

Spring brought a renewed effort toward constructing Fort Cummings and the 10-foot-high walls that eventually surrounded the interior rooms and corrals. There had been no progress beyond the temporary winter quarters for the command because of the lack of materials, tools, and transportation.[32] Help was on the way. An adobe contractor from Las Cruces had been hired to assist in the fort's construction. He was, however, cautioned that nothing stronger than lager beer would be allowed at the site.[33]

In late spring, as the men labored on the fort's construction, a column of 500 of their comrades passed by Cooke's Spring on the first of May. Colonel Rigg had been ordered to establish a new base of operations against the Indians, Fort Goodwin, at some point along the middle Gila. One contingent of 54 men, under Lieutenant Henry H. Stevens, was ambushed by 100 Apaches in Doubtful Canyon east of Stein's Peak. In the 2-hour fight, 10 Indians were killed and twice as many were reported wounded. The Californians suffered five wounded, one fatally, and one man missing.[34]

About three weeks later, on May 29, Captain George A. Burkett and 33 men managed to surprise an Apache rancheria on one of the small mountain streams. The command killed 13 Indians, reported wounding the same number, and took 3 prisoners. Booty taken (or retaken) included a mule, three horses, a Sharps carbine, a saddle and saddle bags, a ton of mescal, and some gunpowder. Some of the mescal was retained to feed the prisoners, but the balance was destroyed, as were some fields of corn and wheat.[35]

The Apaches were not the only ones engaged in farming. The garrison at Fort Cummings had established a small garden near the marsh formed by the water drainage from the spring. By doing this the men hoped to offset the monotonous army fare and prevent scurvy and other illnesses associated with their winter diet. Typical rations for each man consisted of 12 ounces of pork or bacon, or 20 ounces of fresh or salt beef (the salt beef was frequently referred to, perhaps not too inaccurately, as salt horse), and 22 ounces of soft bread or flour, or 16 ounces of hard bread. The men at primitive Fort Cummings probably did not see much of the additional victuals allotted on a company basis, such as beans, rice, or hominy, except for the coffee and maybe a little sugar.[36]

Shortages continued to bedevil Captain Drescher at Fort Cummings. Previously he had been unable to get the proper sized ammunition; now he was coming up short of money. The paymaster had sent $300 to a Mr. Allen in Tucson, but the money was lost somewhere in transit. Captain Drescher maintained that the post's handling of the mail was very strict after it was brought in by Expressman John Jones, and that the problem could not have occurred at Cummings during the transfer to the vedettes.[37]

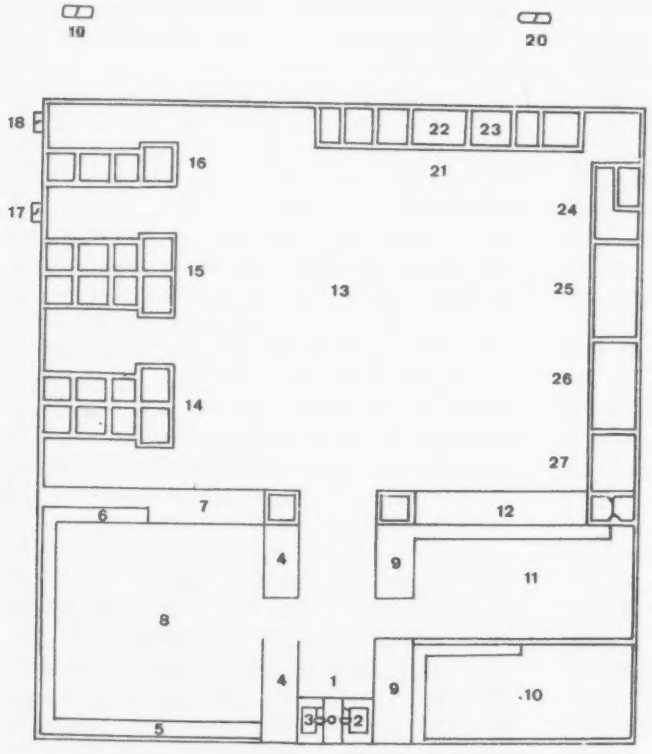
The remainder of the year was uneventful at Fort Cummings beyond continued construction and escort duty to and from Fort Bowie and occasionally Las Cruces or Mesilla. On September 16, the com-

mand was joined by the men who had been stationed at Camp Mimbres. This camp near the old stage station had been established in August of the previous year as a depot for Major McCleave's operations against the Apaches. Now it was to be abandoned and the men and public property, except for the hay, transferred to Fort Cummings.[38] Early the following year, 1865, many of the remaining California Volunteer units left, and Fort Cummings and other posts received replacements from either New Mexico Volunteers or reenlisted Californians.

In addition to many unproductive patrols for Indians throughout much of 1865, as in 1864, construction continued to be a major part of life at Fort Cummings. One of the reasons for the protracted construction was that the fort was built within 10-foot-high walls. Soldiers in other forts had experienced Apaches prowling about the military compound at night, and within these posts the men walked around with cocked weapons. For additional security, all of Fort Cummings' windows, even in the hospital, faced the parade ground.[39] The post (Figure 43), must have seemed much like a prison.

The post did have a prison, or at least a guard house. The sally port entrance to the compound was flanked on one side by a stone guardroom and on the other by the lockup also constructed of stone. The only second-story section of the fort was an adobe room constructed over the top of the sally port and these two rooms.[40]

The stone jail for military prisoners failed to keep them from escaping. On January 16, Privates Matais



1. Sally Port
2. Prison
3. Guard House
4. Shops
5. Sheds
6. Sheds
7. Store Rooms, offices, & NCO Quarters
8. Quartermaster's Corral
9. Store Rooms
10. Quartermaster's Corral
11. Wood Corral
12. Store Rooms, offices, & Laundresses' Quarters
13. Flag Staff
14. Officers' Quarters
15. Officers' Quarters
16. Commanding Officer
17. Sink
18. Sink
19. Sink
20. Sink
21. Hospital Unit
22. Ward
23. Laundry
24. Soldiers' Quarters
25. Soldiers' Quarters
26. Dining Room
27. Kitchen

Scale

Figure 43. Plan view of Fort Cummings.

Sandobal and Jose Andrada of the New Mexico Volunteer Infantry took "French leave." The post commander, Major Julius C. Shaw, filed charges against Privates Jesus Mana (or Aparacio) Ortiz and Librado (or Sabarado) Cortez of the same regiment for suspected complicity in the escape. By February 3 Sandobal had been recaptured and was in the lockup in double irons. His accomplice, Andrada, had been killed in the attempt to take him prisoner. Major Shaw experienced a change of heart with regard to charging the two guards for helping the convicts escape. He noted that Ortiz was an old man and because of scarcity of noncommissioned officers, he had been acting corporal of the guard and was ignorant of an order against allowing prisoners outside the guard room after dark. Likewise, he was convinced that Cortez really had been struck on the head with a rock while escorting the two men to the sinks (outhouse) outside the wall.[41]

An opportunity to settle the problem with the Mimbres Apaches was lost in the spring of 1865. Following Mangas Coloradas' murder in 1863 and continued pressure by the military, Victorio, Nana, and other leaders appealed to the Indian Agent, Doctor Michael Steck, to come to the Pinos Altos area and negotiate a treaty between themselves and the Whites. Steck prepared to make the overture, but Carleton, citing that hostile Indians were a military responsibility, refused to let him go. Instead Carleton sent Lieutenant Colonel Nelson Henry Davis. Speaking to the Apaches through their captive interpreter, Maria Mendez, Davis told the Indians they could have peace if they went to the Bosque Redondo. Victorio indicated that his people were tired of war but wanted to see the reservation first. They never showed up, and the unrelenting war picked up again.[42]

Partially as a result of continued Apache warfare, Fort Selden was established on May 8, 1865. The post, 12 miles up the river from Dona Ana, was named for Colonel Henry Raymond Selden. He had served in the Mexican War and in all the major confrontations with the Confederates. He died while in command of Fort Union on February 2, 1865.[43] And, while the military was busy establishing new posts, Captain Burkett complained that at Fort Cummings he did not have a single horse fit to ride.[44]

In the last half of 1865, there was another spurt of construction at Fort Cummings. Up to that time the post had a paper force of 78 men, present and absent, with usually about 40 to 45 men actually available for on-post duty. In September, however, the garrison was increased by about 100 men consisting of Company C First Cavalry California Volunteers plus 10 men on temporary assignment. Many citizens were also employed at the post. In addition to personnel such as clerks, a carpenter, blacksmith, and herders, employed by the Quartermaster Department, numerous individuals were employed in freighting and construction. Labor information from the post returns is shown in Table 3. Some construction efforts were devoted to working on officers' quarters, and some construction efforts were due to an order of July 14 directing that storage be prepared for 100,000 subsistence rations.[45]

Table 3. Post returns labor information

Month	Teamsters	Masons	Laborers
June	6	3	31
July	7	5	44
August	5	3	38
September	?	?	?
October	6	4	24
November	4	2	18
December	5	1	13
January	0	-13-	
February	6	0*	0*

(*the civilians were probably replaced by the 12 Privates and a Corporal noted as being on extra duty)

Construction, however, remained a secondary priority of the post commander. Escorting emigrants, freighters, and others between Fort Cummings and Camp Mimbres or Fort Bowie continued to be a major effort for the men, as were frequent patrols through the mountains and desert country searching for Apaches. In mid-summer Captain Burkett was well satisfied with his men's efforts at clearing out the Apaches. On July 22 he remarked that the route between Mesilla and Pinos Altos had never been less dangerous and that, except for one small band that he was still attempting to destroy, there was no danger within 100 miles of Fort Cummings.[46]

The Apaches were unimpressed with Burkett's smug confidence that things were peaceful within his jurisdiction. On November 7, the Indians attacked a sheep ranch in the vicinity of Fort Cummings and

absconded with approximately 500 animals.[47] Early the following year, they became even bolder.

The area near Cooke's Spring had never sustained more than small brush in the way of available firewood for the many travelers who camped there. Therefore, to supply the many fireplaces for quarters and kitchen, a temporary camp was established at Oak Grove near a stand of timber about four and one-half miles northwest of the fort.[48] In mid-January 1866, the wood camp was manned by a corporal and six privates of Company G First Veteran Infantry California Volunteers.

On January 17, the Apaches struck the camp and wiped out nearly everyone. Corporal Weber had left the camp the evening previously to procure supplies at the fort. At half-past eight the next morning, between 40 and 50 Apaches struck while the soldiers were having breakfast. Privates Mathews and Goldsberry grabbed their weapons and made it to a sheltered spot. Possibly as a result of being wounded in the thigh by an arrow, Goldsberry lost his ammunition pouch and had to share Mathews'. The Apaches killed the other four Privates (Thomas Ronan, L. S. Hunter, Charles Devine, and Thomas Daly) but Mathews and Goldsberry were too well protected for an attack on their position. After the Indians destroyed the camp, including the post's best sharpening stone, and left, the two survivors made their way toward the fort and met Corporal Weber who was returning with the supply wagon.

The three men returned to Fort Cummings and informed the temporary commander, Lieutenant John D. Slocum, of the tragedy. Captain Burkett had left on another scouting mission for Indians with most of the men, and Slocum had only 12 infantry and 5 cavalry present with only 3 of the latter having mounts. When the relief party reached the scene, all they could do was pick up the bodies of their murdered comrades and return them to be buried in a common grave on Cemetery Ridge.[49]

Apache depredations had disrupted spiritual community plans in the Southwest as well as the secular. Shortly after the attack on the wood-cutting party, some of the men at Fort Cummings escorted three priests and a teacher to Fort Bowie on their way to Tucson. Bishop Jean Baptiste Lamy had withdrawn two Jesuit priests from Tucson in 1864. When he first attempted to replace them the Apache threat was so great that he had to delay his effort until later. In January 1866, he made arrangements with General Carleton to have an escort accompany Fathers John Baptiste Salpointe, Peter Boucard, and Patrick Bermingham and a Mr. Vincent to Fort Bowie. They traveled through Fort Cummings on the way and at Fort Bowie received another escort from there to Tucson.[50]

The increased Apache threat from the mountains prompted the construction of a new permanent post. On July 26, 1866, Major General John Pope ordered Fort Bayard set up near Pinos Altos. On August 21, Company B of the Twenty-Fifth Infantry, under the command of Lieutenant James M. Kerr, established Fort Bayard (Figure 44).[51]

At approximately the same time, the War Department inaugurated six Black regiments in the regular United States Army, the Thirty-Eighth through the Forty-First Infantries and the Ninth and Tenth Cavalries, adding to the still existing Black volunteer regiments such as the One Hundred Twenty-Fourth and One Hundred Twenty-Fifth Infantries.[52] All of the commissioned officers for these units, however, were White.

The Fort Cummings garrison continued to suffer attrition at the hands of the Apaches. On May 26, Private Barnett, Company C First California Veteran Cavalry, was killed about 25 miles east of the post on the old stage road near Magdelena Canyon.[53] Since there was no report of an engagement of troops, and the killing took place on the road to Mesilla, the soldier was probably an express rider stationed at the Fort Cummings sub-post at Camp Mimbres. On August 25, the Indians followed with an attack on two riders about eight miles west of Fort Cummings. Private Charles Williams was killed instantly by a lance, and Private John M. Kelley, though wounded, managed to escape.[54]

The Indians continued to prowl the fort vicinity and create problems. On September 10, several Apaches attempted to stampede the stock herd at the fort and a sergeant and 10 men on patrol near Oak Grove chased, but failed to catch, another small party.[55]

The Apaches were not the only problem for Captain R. B. Foutts, One Hundred Twenty-Fifth Volunteer Colored Infantry, the new Fort Cummings commander. Bureaucratic procedures demanded that he spend part of Christmas Day justifying his sending an escort with a civilian party to the Florida Mountains. The party had been led by James H. Whitlock, a former captain in the

California Column, and Foutts had agreed to send some soldiers along because there were very few men in the party. As his defense, he used the standing order for protecting the transit of emigrants through Indian country.[56]

The year 1866 brought about some positive changes. The onset of winter, coupled with lax sanitary measures and improper diet, usually signaled an increase on post hospital sick lists. However, Congress had authorized the commissary department, much to the chagrin of the post traders, to sell soldiers supplies at cost. These stores included such exotic items as oysters and canned butter, in addition to more common fare such as canned vegetables, potatoes, and pickles.[57] Near year's end, on December 10, a post office was established at Fort Cummings with Robert V. Newsham, a discharged Californian, as its first postmaster.[58]

The Backwash of the Civil War

Following the expulsion of the Confederates from New Mexico some Unionists, who had been forced to flee, returned. Estevan Ochoa, whom Captain Sherod Hunter had driven from Tucson, returned to that city and managed to recover most of his property. He soon rebuilt his freighting empire, especially now that General Carleton was keeping the road from Mesilla to Tucson relatively open so the much needed supplies could flow to various communities and military installations. Ochoa formed a partnership with P. R. Tully in 1863, and after the end of the Civil War they became the largest employer in the Southwest, except for the mining industry. Despite occasional major losses to the Apaches, the firm prospered, and Ochoa served in the upper house of the Arizona Territorial legislature for several years.[59]

William Wallace Mills was another Union supporter who fared well. Mills had fought with the New Mexico Volunteers until the Confederates were driven out. He returned to El Paso and rented his and his brother Anson's houses to Union officers.[60] On September 8, 1863, Mills wrote his father that he had signed a contract to deliver 5,500 gallons of wine vinegar at $1.70 per gallon and that he already had 1,000 gallons ready for delivery. He and his partner Natt Webb expected to split a profit of about $5,000 on the deal.[61] Mills formed another partnership with Benjamin Shacklett Dowell, for whom he had helped secure federal government amnesty. Dowell owned a race horse named Kit. He and Mills entered challenge races with Mills supplying the money to cover the wagers.[62] Mills and younger brother, Ethan Allen, also temporarily took over Hart's mill.[63]

On the other side of the national dispute, several prominent citizens of Tucson, El Paso, and other communities were accused of having aided and

Figure 44. Fort Bayard - circa 1885. Photo courtesy of the Museum of New Mexico, #52867.

abetted the Confederates. For either political or legitimate reasons their properties were seized and, in many cases, auctioned off to the highest bidder. The Oury brothers' (Granville Henderson and William Sanders) freighting outfit and Silvester Mowry's mining holdings in Tucson were among the first to suffer the consequences of their secessionist activities. Their properties were confiscated in 1862 and were sold in Mesilla on July 18, 1864.[64]

By early August 1862 Company C of the First California Volunteer Cavalry was camped at Simeon Hart's mill. This was only the first of a series of setbacks for the man who had so ardently supported the Southern cause. After General Carleton arrived on August 16, Hart, "Ben" Dowell, James Wiley Magoffin, the Gillett brothers (John Smith and Henry Smith), Hugh Stephenson, and several others lost their considerable holdings, at least temporarily, to the military and New Mexico Territorial tribunals.[65]

General Carleton and many of the Union officers were also involved in the redevelopment of the mining industry. Colonel George Bowie and Captain Charles Smith, in consort with W. W. Mills, gained temporary legal possession of Hugh Stephenson's old silver mine. Carleton, Nelson H. Davis, Herbert M. Enos, William Bell, and others took over the copper mine at Santa Rita. Some disgruntled citizens accused them of using soldiers to protect the property. Others who had interests in the Pinos Altos mines, before or following their enlistment expirations, included Captains John D. Slocum and Charles P. Nichols, and Lieutenants Robert V. Newsham and Albert H. French. In French's case, he and his partners did not forget their home when they named their consortium the Bay State Pinos Altos Mining Company. They did not forget their former commander either as they transferred 200 stock shares to Carleton for the sum of a dollar.[66]

During the Civil War, several Confederates suffered the consequences of their former or continued allegiance to the South. Henry Skillman continued to operate in the El Paso area, and set up a courier service for Confederate intelligence information that had tendrils extending from San Antonio to California. Captain French and 25 Californians surrounded Skillman and a party of 10 Confederates on the night of April 15, 1864, at Spencer's Ranch a mile below Presidio, Texas. At midnight French entered the camp and demanded surrender. Skillman rose up with a gun in his hand and French killed him. In the next few seconds two of Skillman's party were killed and two more were mortally wounded. One Confederate, William M. "Bill" Ford, an old friend of Ben Dowell, managed to escape, albeit clad only in his underwear.[67]

George Giddings may not have lost his life to the war but he lost almost everything else. After closing his stage line, Giddings served as a Confederate officer during the remainder of the war, and acting as a purchasing agent, sold Texas cotton in Mexico and bought supplies for the Confederate army with the proceeds. He also claimed that he spent $200,000 in currency and $10,000 in gold of his own money in mounting and equipping his command. In addition to his later claims against the United States Government for losses, he said the Confederacy owed him back pay for the mail service and he was holding unpaid vouchers equaling $65,000 for 13, 12-mule freighting outfits and $30,000 for another train of 10 units.[68]

Others who had backed the Confederate cause encountered little difficulty living under the Stars and Stripes again. "Jack" Swilling had considerable luck in the new gold fields in Arizona.[69] In 1866 there was another gold rush at Pinos Altos, and Virgil Mastin, with partners J. Edgar Griggs, Samuel J. Jones, Joseph Reynolds and J. Amberg, organized the Pinos Altos Mining Company.[70] Either separately or in conjunction with the others, Mastin bought a 15-stamp mill and a new saw mill in July. Mastin also set up a freight line. In October 1866 one of his teams was hauling flour from Janos to Fort Cummings, complete with a military escort from that fort.[71]

Bethel Coopwood was another Confederate officer who became involved in freighting and other businesses after the war. He advertised a freight service to start April 15, 1866. Although he initially intended to use pack mules he also prepared to experiment with another form of transportation.[72] At the close of the Civil War there were still 34 camels at Camp Verde, Texas. In March 1866 Coopwood had submitted the highest ($31 each) of three sealed bids and intended to retrain the beasts to carry heavy packs.[73] Although Coopwood also ran a stage line to El Paso for a few months, before selling out to Benjamin Franklin Ficklin, there was no evidence that his freight line, using either mules or camels, was ever established west of El Paso.[74]

On May 6, 1866, Coopwood's first coach east from San Antonio arrived in El Paso. It was fortunate that the stage was traveling with a massive escort of 40 men armed with repeating rifles, because as they approached the abandoned station at Escondido Springs the Apaches attacked in force. A large band of Mescaleros, led by Espejo, kept the stage and escort under siege for two days before seeking easier prey.

Magoffin and Hart were two of the passengers on the coach. Magoffin was carrying written authority from Texas Provisional Governor Andrew Jackson Hamilton to "organize" El Paso County by completing appointee's commission papers that Jackson had signed but left blank. Magoffin's return to El Paso, especially with such plenipotentiary powers, created a turmoil that Captain David Hammett Brotherton soon quelled. The commander of Fort Bliss refused to recognize Magoffin's authority or to allow any of the current officials to turn over their records to the new appointees.[75]

Farther up the river, Samuel G. Bean had also returned to his former residence. Bean's property had been confiscated and sold to a Union army officer. However, Bean's wife wrangled her way into the house and refused to leave, and the officer graciously sold the Beans' house back to them.[76]

Some of the Confederates fled to Mexico following Appomattox. Major General Sterling "Old Pap" Price and some of his command crossed the border and fought unsuccessfully for Maximillian.[77] Granville Oury and his wife Mina were also among the Confederates who went farther south rather than submit to living under the authority of the Union. It did not take them long to become disillusioned in Mexico, and they decided to return to Tucson.

The Ourys split up to make their way back to the Territory. The route Granville took was considered too difficult, and it was feared that he might be picked up by the Federals. Mina and her brother, Adam Sanders, traveled with Mexican trains to El Paso. From there they stopped overnight with Sam Jones in Mesilla before continuing west, after picking up an escort of four men for their wagon.

At Fort Cummings they were delayed four or five days because Captain Burkett did not have enough men to supply an escort. They were delayed again at Fort Bowie because there was a serious Apache threat at the time, and Major Gorman would not furnish an escort for them. When the threat abated they continued, and a few miles east of Tucson they met Granville coming to meet them.[78] The Oury's temporary separation, like that of the North and the South, was over.

Indian Fighting and Post War Emigration

The Apaches continued to be a problem in the mineral rich hills and on the road between Mesilla and Tucson. Most of the Indians' victims were civilians, but when the troops occasionally managed to engage them, the soldiers lost a few lives too. The military found it hard to run the Indians to ground unless the Apaches sensed an advantage and desired a confrontation. Cavalry horses or mules almost always performed better over a short period of time than the scrubby, ill-fed Indian ponies. Without their usual grain ration, however, the army's horses soon lost strength when forced to survive on forage while the Indians' mounts were used to it. In any case, the Indian was much more willing to ride his horse to death, cut off a chunk of meat for subsistence, fill the still-warm intestines with water, sling both over his shoulder, and set out on foot faster than most cavalry could follow.[79]

Cavalry was something Fort Cummings was very short of in 1867. Until late in the year, when it was removed, only a token detachment of cavalry was stationed at the post. As a result, there were few expeditions against the Apaches. Therefore, it was somewhat of a surprise when Captain Robert B. Foutts reported the capture of an Apache woman in late 1866. She had indicated that her people wanted peace with the Whites, but they fled toward Mexico because they were short of provisions. This was almost certainly a ploy to distract the soldiers. The woman, who created no problems, waited for an opportunity to escape. On the evening of January 7, 1867, accompanied by a laundress, she was permitted outside the fort to visit a privy. Instead, she ran away.[80]

No doubt she was able to accurately communicate the garrison strength to her people. On March 14, about 30 Apaches attacked a settlement on the Mimbres River. One citizen, Anzel Hammond, was killed and another man was wounded. The attack took place at abandoned Fort Webster ap-

proximately 40 miles from Fort Cummings.[81]

On April 19 the army took action that significantly enhanced the ability of the Indian-fighting army to engage its opponents. General Order 56 established regulations for the 1,000 Indian Scouts authorized under legislation passed the previous July to increase the army's strength and Indian fighting capability. The scouts were to enlist for no more than six months at a time, furnish their own horses and equipment, and, in return, they were paid 40 cents a day.[82] Unfortunately, it would be a long time before Fort Cummings was able to make use of the scouts' services. Captain Foutts was authorized to hire a civilian scout, but his pay was to be $2.50 per day, or if hired by the month, $45 plus an army ration each day.

Although there was no military report, it may have been at this time that two Apache boys surreptitiously entered the Fort Cummings compound. Asa Daklugie and Frank, the grandson of Mangas Coloradas, used a weighted rope to saw a notch in the fort wall. When the cut was sufficiently deep, they used the rock as an anchor and climbed over the wall. Daklugie claimed they stole some weapons and ammunition from one of the rooms, but Frank's father, Mangas, chastised them when they returned to camp because the "rifle" was a shotgun and the pistol was of very small caliber.[83]

In 1867, stage transportation returned to the old Butterfield Trail. The Kerns and Mitchell Company took over the abandoned line, repaired many of the old stations, and built some new ones. A few minor changes to the specific route were made to ensure better protection, but these changes were not close to Cooke's Spring. At least one author has indicated that the station at Fort Cummings was relocated from the hill next to the cemetery to a new site closer to the fort. In all likelihood, this was at Robert V. Newsham's sutler building.[84]

Reestablishment of the stage line created two new tasks for the soldiers at Fort Cummings. During later times, when the Apache threat was more severe, the military provided either mounted escorts or men to ride in the stage through the more dangerous areas. Of more immediate concern, at least to the civilian passengers, were several human skeletons lying in Cooke's Canyon in plain view of anyone traveling the road. In response to their complaints a detail was sent to gather the bones and transfer them to the post cemetery for burial.[85] These were the first of many burials that would remain recorded as "unknown."

It was during this period that Hospital Steward (not Doctor) William Thornton Parker arrived on the scene. His less than three-month sojourn at the post went unrecorded, at least as far as anything significant in the official records.[86] This was not so for Parker. Unfortunately, the good "Doctor's" memoirs, used by many writers, are at best either imaginative or the product of a poor memory.[87]

Most of Captain Foutts' reports during the first-half of 1867 were either routine or complained mildly of either personnel and commissary problems, or of minor thefts from the post. In a three-week midsummer period, however, three separate small emigrant groups appealed to the fort for much needed assistance. On August 21, a family of 10 persons arrived at the fort on their way to California. They were completely destitute, and had neither money, property, nor provisions. Foutts directed Captain Joseph A. Corbett, in charge of the post commissary, to issue them six days rations of bacon, flour, and coffee.[88]

Closely following this family came another in worse straits. A woman, whose husband had been killed on the road near Fort Davis, arrived at the fort with her children (no number stated) and without property or subsistence of any kind. Captain Foutts again directed the issuance of six days rations of bacon, flour, and coffee. Perhaps the captain was somewhat tired of being asked for free supplies, because he later supplied two families with the same kinds of rations, but only for five days.[89]

Another traveler, however, was able to purchase the supplies needed by his group. Doctor William Abraham Bell, an adventurous English physician, was employed as a photographer on a surveying expedition that had been funded by the Kansas Pacific Railway Company.[90] Bell's party, one of five survey groups, had traveled south from Santa Fe, picked up a heavier escort at Fort Craig, then proceeded downstream to Santa Barbara. On October 14, 1867, they left the Rio Grande led by a man named Eicholtz. They watered at La Tenaja (Foster's Hole) and camped at Mule Spring. While the surveyors ran a line west through a gap, between the spring and Cooke's Canyon, which they named Palmer's Pass, Bell went to Fort Cummings (Figure 45) to secure additional supplies.[91]

In October, Captain Foutts' command was or-

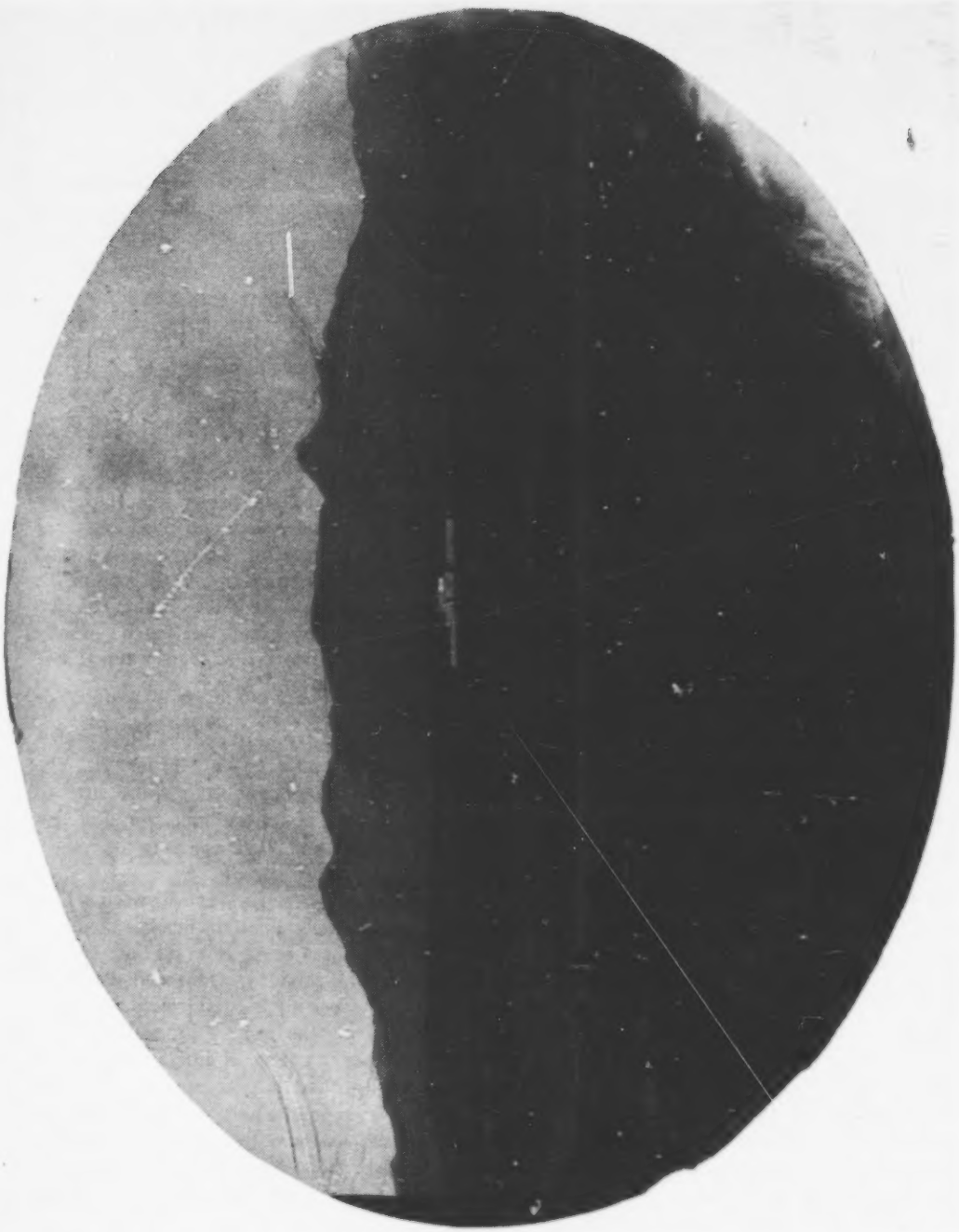


Figure 45. Fort Cummings in 1867. Photo courtesy of the Colorado Historical Society, #28152, taken by William A. Bell.

best copy available

dered to Fort Bayard and was relieved by another Black Infantry company that was to impugn the otherwise excellent reputation of Black soldiers. Foutt's reports documented that no men had been arrested or confined for several months. After the arrival of the Thirty-Eighth Infantry, the new commander, Captain Charles Edward Clarke, reported 16 men in arrest or confinement, fully 15 percent of the entire garrison.[92] Obviously, trouble had been brewing in this outfit for some time.

Whatever the difficulties were in his command, Captain Clarke had to focus much of his attention elsewhere. On November 7, a mail carrier, Charles Young, was killed by Apaches nine miles west of Fort Cummings. A short time later, John Slater, another mail carrier, suffered the same fate in the vicinity of Apache Pass.[93] Indian attacks on the southern mail route had become so commonplace by 1867 that mail contractors were having difficulty securing riders to carry the express. The agents eventually found it necessary to pay $150 a month, in gold, for the men to ride between Las Cruces and Fort Bowie.[94]

The Fort Cummings area was not the only place troubled by the Apaches. On November 23, 1867, the Indians struck the Fort Selden Quartermaster's beef herd. A quick response by the Third Cavalry resulted in two Apaches killed, but mistakenly a Mexican hay cutter was also killed. Eighteen days later, the Indians struck the herd again.[95]

Serious trouble, initiated by an incident on December 1, developed for the garrison at Fort Cummings. Second Lieutenant Henry Field Leggett discovered that some of his money had disappeared from his quarters. He had the enlisted men searched, but the money was not found. First Lieutenant William Edgar Sweet's female servant, Mattie Merritt, was also searched, and although nothing was directly stated, she was apparently suspected of stealing the money. The officers took no immediate action except to refuse to let her stay with the company laundresses.[96] On December 7 Lieutenant Leggett sent a detail to remove Merritt from the fort. Some men of the Thirty-Eighth Infantry interfered with the guard detail and allegedly made sufficiently grave threats, against their White officers and Black noncommissioned officers, to warrant charges of mutiny.

When Captain Clarke returned from Fort Selden, he told Merritt that she would have to go elsewhere, either to the sutler's facility or to a Mr. Harrington's.[97] As a result of interference with the guard detail and other threatening activities, charges were preferred against several men. Five were later tried, but only one, Corporal Robert Davis, was found guilty and sentenced to reduction to private, forfeiture of all pay due, dishonorably discharged, and confined for 10 years in a federal penitentiary.[98] Perhaps Davis would have fared better if his defense, like some of the other defendants, had been handled by Thomas Benton Catron who later became a United States Senator and one of the most influential men in New Mexico.

The post returns for the month of December listed two pieces of mountain artillery. Previously there had been no mention of this category of weapon at Fort Cummings. Perhaps there was a relationship between the mutiny and the introduction of these arms in the fort's inventory.[99]

Indian harassment continued at the post. On January 22, 1868, Indians broke into the stage company's corral and killed one mule and shot another horse with an arrow. Six days later, several shots were fired near the fort. At the end of the month, three men from the Thirty-Eighth Infantry were reported to have died during the month. Private Thomas Crawford died from wounds, and Privates James Bell and Moses Alexander succumbed to an unnamed disease.[100]

The inadequacy of trying to combat the Apaches with infantry was reinforced on February 20. The Apaches attacked an emigrant train at the entrance to Cooke's Canyon, about one mile from the fort. Lieutenant Leggett and 20 men went to the rescue, but the Indians had already left.[101]

The aftermath of the mutiny was evidenced at Fort Cummings in two ways. First, the number of men in arrest or confinement reached an all time high of nearly 19 percent. Second, a serious work detail was organized for the men not in confinement, and plans were laid for more in the future. Corporal Frederick Wormley was put in charge of a detail assigned to construct a wall around the post cemetery. The wall, built of rock from nearby hills, was 1,000 feet long (250 feet square) and was 5 feet high; so it was a time consuming task. In addition, lumber to repair the men's bunks and quarters was ordered from Pinos Altos.[102]

At Pinos Altos, more trouble was in store for Virgil Mastin. After settling his brother's estate, he had

continued to expand his interests in the mining industry there. On the afternoon of May 14, 1868, he was returning to Pinos Altos from Mesilla. He was driving a buggy and was accompanied by two men on horseback. Approximately three miles from their destination, they were attacked by a party of about 40 Indians. The two mounted men managed to outdistance the Apaches, but Mastin paid the ultimate price.[103]

By this time the two old adversaries, Indian Agent Steck and General Carleton, had been relieved of their respective jobs. The Department of the Interior had taken over the responsibility for the Bosque Redondo Reservation, but, by summer of 1868, it was closed and the Indians remaining there returned to their homelands.

Carleton's grand experiment has been branded a failure by many. However, it was not without significant effects. The Navajo Nation, fearing a repeat of the hated Bosque Redondo experience, never again waged large scale warfare against the government. For better or worse, the experiment provided an illustration of what to do and not to do in establishing future reservation systems. The Navajo people learned new skills, including farming techniques and metalsmithing. The latter, today artistically expressed in silver, was learned by counterfeiting the metal ration tokens issued by the military so that additional food could be procured. The old army wagons, given to families when the reservation was closed, provided them a new ability to travel and communicate with others. But, foremost, the Navajos developed a previously lacking sense of tribal unity that would aid them in their future dealings with the Whites and the federal government.[104]

Meanwhile, the soldiers at Fort Cummings and the Apaches were still at each other's throats. In late August, Captain Alexander Moore left the fort on an extended foray against the Indians. He and his men were involved in two engagements. In the first, they killed two Apaches and captured two boys and all the Indians' riding stock. In the second encounter they killed one Indian, took a small girl captive, and killed some pack animals. In retaliation, the Apaches took an entire mule herd that had stopped overnight at Fort Selden. Moore gathered his men and took off again for a long but ineffective scout.[105]

The size of the military reservation for Fort Cummings had never been formally established or surveyed. In December 1868, First Lieutenant Henry Jackson, Seventh United States Cavalry, made a survey of the proposed reservation. All the corners and every half mile along the boundary lines were marked by six-inch-diameter posts that were five-feet-long and were marked US with MR underneath.[106]

The year 1869 started badly for Captain Moore. The Indians were attacking citizens and military posts alike, and the mail contractor was complaining to Moore's superiors regarding the lack of an escort. The Apaches had established a temporary rancheria in either the Florida or Tres Hermanos mountains and were committing depredations against the citizens of Mesilla and those living along the Mimbres River. They captured a herd of cattle two miles south of Fort Selden and also ventured onto the military reservation to attack the fort's wood train.[107]

Sometimes the difference between reports from the man-in-the-field and the higher-level interpretation of a situation was interesting. In the Surgeon General's report it was noted that mail was received at Fort Cummings three times a week by stage from California via Tucson.[108] Captain Moore, responding to a directive to furnish an escort for the United States Mail both ways through Cooke's Canyon, had a different view. Not only did he complain that the contractor was deliberately taking advantage of the government, he also stated that to support the mail in the manner which had been suggested it would require all the animals at the post, most of the men, and would forestall any action to control the Indians. He further described the tri-weekly service:

> *I beg leave also, respectively state that the mails, as served at this post, are meager, and often delayed for an unreasonable period. The mail is supposed to be tri-weekly, and two days out of the week it is carried by a solitary Mexican, mounted on a miserable mule, and the other day in a buggy, if such a vehicle as that used, can be called by that name.*[109]

Perhaps to either illustrate his point or to avoid the issue, Moore took off on an extended scout for Indians, leaving First Lieutenant Steele to handle the problem. Steele recounted his manpower: 30 total, of which 6 were prisoners, 4 sick in the hospital,

2 on detail at the hospital, and 1 as a teamster. With at least 10 men mounted for guard duty each day, and no mules left fit for escort duty, he asked higher powers for relief from the requirement to escort the mail.[110]

Apparently a compromise was worked out on the issue of escorting the mails. Moore wrote the contractor in Mesilla, John Davis, that if he furnished the transportation, Moore would furnish men from his command as an escort from Fort Cummings to Barney's Station and return.[111]

Somehow, in all the confusion at the post, two of the three Apache children captured nearly a year earlier were still at Fort Cummings. One of the boys succumbed to smallpox on March 4, but as of July the other two were active enough to be causing problems within the garrison. Moore claimed that the four-year-old boy and seven-year-old girl caused inconvenience and that the girl was responsible for "a good deal of mischief at the post."[112] He wanted someone to be responsible for a disposition of the children.

Despite the military installations along the route and the escorts provided, the southern road continued to be hazardous for those using it. In mid-July, Post Office Department Special Agent Milton B. Duffield noted that between Mesilla and Tucson, the Apaches had recently captured two more mails. This accounted for three in a period of eight days. In his opinion, there was not a mile between the two communities that was safe from Apaches.[113]

Agent Duffield's apprehension notwithstanding, emigrants and cattle herds still traveled the same road as the mail. Nineteen-year-old Harriet Bunyard, her parents, three brothers, and two sisters left east Texas on May 1, 1869, in a train captained by her uncle, Isaac Stewart. The family was in strong sympathy with the South and was seeking more pleasant surroundings in the wake of the Civil War.[114]

Several other emigrant outfits and trail herds were in transit between Texas and California. Harriet noted that they saw several other emigrant trains and a few cattle herds between her home and El Paso. They changed the composition of their train at least three times before they arrived in El Paso. However, the number of men in the party was never less than 20 nor more than 45. They experienced no trouble during this part of their journey, with the exception of being temporarily detained near Fort Griffin, Texas, because a few members had unknowingly purchased some contraband army carbines. The men were not in serious trouble, but they did not get back either their money or the weapons.[115]

Before continuing their journey, the Bunyards stopped briefly in El Paso on July 19 to purchase supplies. They camped for the night a few miles up the river at Hart's confiscated El Molino mill. The mill was being operated by Eugene Van Patten, who made no attempt to inform the Bunyards that the mill did not belong to him. He was, however, very gracious and offered them wine. The following day the Bunyards purchased some of Van Patten's wine before continuing on their way with three other families. On the night of July 24, they passed abandoned Fort Fillmore, and Harriet remarked that some Mexicans were living there and that it appeared very desolate.[116]

The Bunyard train encountered another delay in reaching Cooke's Spring. On July 25, after they had reached Las Cruces, John Thomas, one of the young men on the train, accidentally shot himself while twirling his pistol. He died that evening, and the next day after his brother, who was traveling in a train behind the Bunyard's, arrived John was buried in Las Cruces. During the delay, the Bunyards were joined by 5 other wagons, this brought the count to 25 men in the train. On July 26 they traveled all night and reached Slocum's Ranch, where they watered their stock for 10 cents a head. On July 29 at two in the afternoon, they arrived at Fort Cummings and camped near there. Harriet noted that there was plenty of grass and water but only small brush to cook with. Two large cattle herds were also camped at the spring.

After experiencing a refreshing rain that night, the Bunyards laid over a full day until the following afternoon. They started through Cooke's Canyon in the evening, and Harriet indicated that they were afraid because they had been told it was the most dangerous spot on the entire route. At the Mimbres River, Harriet noted that there was a small town and that another small train and a herd of 7,000 cattle had arrived there ahead of them. Between the Mimbres and Apache Pass she noted "two old forts" on which the roofs had been burned. These were, of course, the old stage stations. They reached their California destination about November 1, 1869.[117]

Throughout most of 1869, Captain Moore had been trying to resolve the issue of a private residence

that had been constructed on the Fort Cummings military reservation. Apparently Carleton's expressman, John Jones, had inveigled the general into permitting him to build a house and corral at Cooke's Spring. Moore claimed that Jones (by now deceased) built the adobe structure after Fort Cummings was established, and had used military labor and transportation, but Jones had claimed that he had filed a preemption claim two years earlier.

Whatever the facts, there was a house on the reservation that Moore wanted removed or appropriated for military use.[118] Jones apparently had become involved in a counterfeiting operation and had committed suicide in either Las Cruces or Mesilla. In his will he left his house to Samuel J. Jones of Mesilla and Marcus Herring.[119]

Moore notified Sam Jones of his intentions and appropriated the house on August 1, 1869, even though Moore had been informed that Sam Jones intended to take possession of the house for his own use. Indeed, Jones somehow got the military decision reversed, and he not only claimed the house but also apparently was able to transfer ownership of it to others at a later date.[120]

Captain Moore's problems with citizens on the post were not confined to John Jones and his heirs. The beef contractor, John Crouch, was not keeping his herds corralled at night and frequently did not assign a herder to them during the day. Moore was concerned that the cattle were acting as bait for "thieving Indians near the post."[121] This was probably the same beef contractor that the Surgeon General was concerned with because large pools of water standing between the butcher's house and the post trader's buildings constituted a potential health hazard.

The Surgeon General's report was also critical of the many piles of garbage behind the post trader's buildings and in the general area. The report noted that the spring was sometimes contaminated by animal and vegetable matter, living and dead. On the positive side the report also indicated that there was a post garden where corn, cabbage, onions, melons, and peas were grown.[122]

Throughout 1869, there was evidence of increasing tension at Fort Cummings. Officers were quarreling among themselves, and charges and counter charges were filed. Frequently one or more of the officers fulfilled their duties while they were under open arrest. Alcoholism, especially in the medical department, had become a problem, and desertions were on a sharp increase. An example of the latter occurred when Fifteenth Infantry Captain Alfred Hedberg sent half his cavalry detachment (three men) and a mounted infantryman, to patrol Cooke's Canyon, and they decided to keep on going. When they did not return within a reasonable amount of time, Hedberg personally pursued them until it was too dark to track them. He then returned to the post about midnight after covering nearly 50 miles. The deserters' trail was headed for Mexico; so Hedberg held little hope of seeing the men, their government mounts, or their equipment again.

Hedberg's capability of continuing to patrol the area around the fort was nearly nil. The cavalry sergeant was under arrest, and one of the two remaining privates was constantly sick and unfit for active service. It was little wonder that Hedberg requested some replacements as soon as possible.[123]

The requirement to escort the mails apparently was not removed in spite of Hedburg's report that there was a lack of personnel to perform the task. On December 7, Second Lieutenant Edmund T. Ryan wrote (for Captain Hedberg) to the mail agents indicating that cooperation was forthcoming. The agents were to furnish a light wagon and harness, and the military would furnish the animals, escort, and driver for the leg between Fort Cummings and Barney's Station to the west.[124]

Late in 1869, a change was made in the designated post trader. Newsham sold his store at Fort Cummings and opened a new store in the little community at the crossing of the Mimbres River.[125] It probably can be assumed that he sold his holdings at Fort Cummings to Jacob Applezoller, the survivor of the Mesilla Confederate lynching, because Applezoller was appointed the new post trader on December 30, and the following day he was appointed postmaster.[126]

Danger to the officers of the command did not always come from the Indians. A military train for Fort Craig had stopped overnight at Cooke's Spring on March 28, 1870. One of the escorts, Private Charles E. Roberts, attempted to steal a hog from the post butcher the next morning. The officer of the day was informed of this attempt and he caught Roberts in the act. When the officer pursued him, Roberts drew his pistol and threatened him. The

post commander allowed the train to proceed but forwarded charges against trooper Roberts to Fort Craig.[127]

Perhaps surviving and staying out of trouble in the military was largely a matter of attitude. Several of the veterans, who either kept diaries or wrote their memoirs and frequently poked fun at themselves or others, seemed more resilient to problems or tragedies. Second Lieutenant John Gregory Bourke (Figure 46) was an example of this personality type.

During his indoctrination period in the Southwest, Bourke claimed that he used to ride across the countryside for enjoyment and occasionally

> *came on bevies of women – old matrons and pretty maidens, splashing in the limpid water, the approach of a stranger being the signal for a general scramble until they were all immersed up to their necks [no small task in most Southwestern streams or water tanks]. They never seemed to mind it in the least and I may as well admit that I rather enjoyed these unexpected interviews.*[128]

In February 1870, Bourke was a member of the Third Cavalry expeditionary forces sent from Fort Craig. When they stopped at Fort Cummings, Major John Van Deusen DuBois appointed Bourke quartermaster for the column. That night Bourke and Second Lieutenant William Wallace Robinson, Jr., the junior officers, mixed toddies for the others. Captain Gerald Russell, who had started military service as a lowly Irish immigrant private in the Mounted Riflemen, not was satisfied until he outlasted all the others. Afterward Bourke and Robinson "poured him into bed."[129] Early the next morning, they moved out through Cooke's Canyon.

On April 15, 1870, the survey of Fort Cummings completed in December 1868 finally made it through military channels and was forwarded by General John McAllister Schofield to General William Tecumseh Sherman. On April 26, Sherman in turn forwarded it to Secretary of War William Worth Belknap, who submitted it to President Ulysses Simpson Grant. Grant signed the document on April 29, finally legalizing the four-square-mile military reservation for Fort Cummings.[130]

The Apaches displayed their usual disregard for the elevation in status of Fort Cummings. Captain Hedberg again asked for a detachment of cavalry to patrol Cooke's Canyon after his men had observed Indians between Fort Cummings and the Mimbres River. To support his request, Hedberg cited incidents that had taken place recently: the mail carrier had been fired on and the bullet passed through his saddle bags; five head of stock belonging to Albion K. Watts, the post butcher and trader, had been stolen; and several small parties of Indians had been seen close to the military reservation.[131]

Figure 46. John Gregory Bourke. Photo courtesy of the Museum of New Mexico, #8808.

Other news would soon add to the Apaches' difficulties and increase problems for the military as well. Gold previously had been the main interest in the mountain mining communities around Pinos Altos. Now silver, in a previously unrecognized form, was discovered in a grassy valley known as La Cienega de San Vicente. Before long, the area took on a new and possibly more appropriate name, Silver City.[132]

Within a short time, Silver City had a population of 1,800 people. Populations in other areas of interest were: 248 at Pinos Altos, 3 at Lucy's Ranch (soon to be Hot Springs), and 6 at Slocum's Ranch. Fort Cummings had a total of 70 people, including the Fifteenth Infantry and several servants and laundresses, who were listed at or near the facility. Also at Fort Cummings, Sam Lyons was listed as the post trader (although his appointment did not come until later), and credited with $2,000 in personal property. A hotel with a 38-year-old male cook was also listed.[133]

The escort support for the mail again was having a detrimental effect on the garrison's ability to perform. The team of four mules sent out with the mail from the post almost always came back short at least one mule because the animal had broken down or died on the road between Fort Cummings and Barney's Station. The teams were covering the 156-mile round trip in 3 days, and it was too strenuous for them on a continuing basis. A requisition was forwarded for 15 additional mules and a spring wagon along with a request for permission to establish a relay station at the Mimbres River.[134]

It was approximately at this time that the Shrode family reached Cooke's Spring. David and Maria, with four of his children and another four of theirs had left east Texas on or about May 10.[135] This was a year and a few days after the Bunyards had left east Texas for identical reasons. Here the similarity ended. The Shrodes took a large herd of cattle with them, and they turned north after the Pecos and passed through the mountains near Fort Stanton before crossing the Tularosa Basin toward San Augustine Pass east of Las Cruces. It would also take them much longer than the Bunyards to reach California.

They had some interesting experiences as they traveled. On August 28 it had hailed, and Maria put the hailstones in a bucket of water so they could have a cool drink. They saw several other trail herds along the way, and they had suffered the usual problems of lost cattle and poor pasturage. Maria claimed that near San Augustine Pass, water from a spring about three miles away was carried down the mountain through troughs before it emptied into the huge tanks where they watered.

The Shrodes had crossed the pass and arrived at Fort Selden on September 21. After a layover at the fort, they also watered at Slocum's Ranch for 10 cents a head. It cost them $145 to water the herd, therefore, they still had 1,450 cattle, despite losses along the way, including 28 head that drowned crossing the rain-swollen Pecos River. On September 25, the Shrodes had camped overnight at the abandoned Goodsight Station and arrived at Fort Cummings the following day.

Maria visited the cemetery and noticed that of the 20 graves, 6 individuals had been killed by Indians. Some of the graves were walled with rock, and the perimeter wall was whitewashed. She also mentioned a folding gate but made no remark about elaborate headstones. After watering their cattle, the Shrodes camped about a mile beyond the spring, near the mouth of the canyon. Some of the soldiers who visited their camp complained about the loneliness of the fort. At the Mimbres River, they lost seven horses to either thieves or Indians. On October 19, 1870, between Fort Bowie and Tucson, Maria noted that they were at a place where the Indians had attacked and burned a stage three months earlier. It would be after Christmas before the Shrodes reached their California destination.[136]

It seemed that the post commander at Fort Cummings was not able to avoid problems with the civilians with whom he had to deal. In July he notified Lyons that it would no longer be permissible to sell liquor to the enlisted men in any quantity larger than by the drink, and four men, Privates Egan, Gallagher, Grace, and Bay, were not allowed any.[137] That fall, W. V. B. Wardwell had a wood cutting contract for Fort Cummings, and the crews supplying fuel for the post brought in a mixture of cottonwood, cedar, and oak. The commander called Wardwell's attention to the fact that his contract called for mesquite to be provided, and the commander indicated that he intended to enforce the provision.[138]

Mail lines and passenger stages continued to use Cooke's Spring on their routes. For example, in 1870, Joseph F. Bennett, Henry Lesinsky, and Con

Cosgrove, operating as J. F. Bennett and Company, subcontracted the mail route from Mesilla to Tucson from Barlow, Sanderson and Company. Later the name was changed to the Southern Overland Mail and Express Line and the company advertised first-class Concord coaches between Santa Fe, El Paso, Mesilla, and Tucson.[139]

Lyons had been acting as post trader for some time based on his appointment by Lieutenant Fitch on July 10, 1870. Finally, on February 9, 1871, the long delayed appointment received official confirmation.[140] On February 28, Lyons took over the postmaster's job from Applezoller. There may have been some connection between Lyons' official confirmation as post trader and his takeover as postmaster, because of the efficiency involved with one man assuming both positions.[141]

In the early spring of 1871 a newspaper reporter from Las Cruces decided to take a stage trip to the new mining developments near Silver City. To accomplish this he booked passage on Bennett's Southern Overland Mail and Express Line as far as the Mimbres River and traveled the rest of the way on a branch line. The stage stopped at Slocum's ranch for a meal, and the reporter commented very favorably on the food and the care the team received at Slocum's.

The reporter supported stories that attacks on stages and emigrant or freighting outfits had occurred in Magdelena Canyon.[142] He noted that five miles after they left Slocum's Ranch, they entered the canyon and he observed that there were a few rude crosses marking grave sites. Frequently a pile of rocks was the only tragedy marker, however, with the stones placed over the site to prevent coyotes or wolves from digging up the bodies.

The stage arrived at Fort Cummings at midnight. The reporter recorded no comments about the fort or stage facility, but he did mention that they had a good hot supper and then sat around the stove and chatted. At three in the morning, "Kyntuck" blew his bugle to signal the passengers to move out through "the dreaded Cook's [sic] Canyon."[143]

At the Mimbres River station, the reporter changed from Bennett's line to a branch line operated by two entrepreneurs identified only as Wiley and Smith. The conveyance was an open spring wagon pulled by a pair of fine California horses. The reporter enjoyed the open view of the beautiful surrounding vistas. Five miles out they passed "the celebrated Hot Springs," and later he noted that old Fort McLane was used as a stage station and that a Mr. Bisby was living there.[144]

The reporter did not visit Pinos Altos where John Bullard and his brother were actively involved in the mining industry. In March, John and several other citizens lost some stock, and they trailed the raiding party to the Indians' camp. The group attacked the camp, killed 14, captured 1 boy, and destroyed the Apaches' lodges and supplies. John Bullard, unfortunately, was killed in the fighting. Later his brother became an embittered guide for the army.[145]

Further to the west, an incident took place that caused many of the Apache leaders, including Cochise, a great deal of concern, and it probably interfered with their peaceful settlement on a reservation. A group of the Pinal and Avarapai Apaches had settled quietly on a reserve near Camp Grant. However, in April 1871, several citizens from Tucson, led by men such as William Sanders Oury, struck the camp at dawn. They raped, killed, and mutilated scores of victims and took 29 children as captives.[146] This raid may have caused a brutal killing the following month. An Indian crawled into the tent of a laundress at Camp Grant and murdered her.[147]

Although the records of Fort Cummings almost totally lacked information regarding women, there obviously were some women there, either as laundresses or as members of officers' families. For example, a Lieutenant Drew (probably George Augustus of the Third Cavalry) met his wife at Fort Cummings. They visited Las Cruces before traveling through Cooke's Canyon on their way to Fort Bowie. According to the Las Cruces newspaper editor, Mrs. Drew was an elegant lady, and if he (the editor) thought he could have done as well, he certainly would have considered marriage also. The Drews may have narrowly escaped disaster, because a few days following their departure from Las Cruces a similar stage was attacked and the driver and four passengers killed.[148]

At Fort Cummings the following month, one of the more humorous incidents occurred, at least in hindsight. Second Lieutenant Ryan appealed to have his commanding officer, Captain Hedberg, temporarily released from arrest. Ryan explained that he was the only officer left at the fort on active duty, and he was fulfilling all the staff positions. Not only were regular the end-of-the-month reports due,

but it was also the end of the quarter, which required reports from all of the staff positions. In addition, the inspecting officer and paymaster were expected any day, and it was too much for him to master by himself.[149] Headquarters must have agreed because Captain Hedberg's signature appears on several of the September reports.

The many personnel problems reflected in the Fort Cummings records during the year were not unique. In 1871, nearly 9,000 desertions were recorded for the army, comprising nearly a third of the total manpower. At Fort Cummings and other frontier posts, the men spent much of their time performing manual labor or marching back and forth over the roads escorting various citizens. Issue clothing, left over from Civil War contracts, was so poor that the soldiers had to purchase replacements from the post sutler, and some used burlap sacks for jackets.[150] The boredom, as expressed to Maria Shrode, was severe, and grueling patrols against the Indians were almost a relief.

As heavy as the boredom weighed on the soldiers, it was perhaps the issue of pay that caused the greatest problem. Enlisted men's pay had been cut in 1870 from $16 to $13 a month when Congress failed to renew special pay provisions enacted during the Civil War. As a result, there was a massive increase in desertions. In May 1872, Congress attempted to correct both situations by establishing a bonus for length of service. In the third year of service, one dollar was added per month; in the fourth year, a second dollar; and during the fifth year, another – for a total of $3 per month bonus. However, to create a further incentive to stay, all longevity pay was held, at four percent interest, until the soldier's discharge. Meanwhile, because of the low pay, it was no wonder that many men decided to desert.[151]

At Fort Cummings, the record for the month of January 1872 reflected a great deal of friction among the few officers stationed there. In all likelihood, alcohol was at the root of some of the problems, because the post trader, Lyons, was ordered to comply with the liquor-by-the-drink-only ruling or face an order terminating all sales.[152]

The intense, three-way conflict between the post commander, Captain Hedberg, and Lieutenants Ryan and Fitch continued until a change of command took place in early February. Captain Charles Steelhammer must have been attempting to prove that he was as tough as his name sounded when he marched his Company G, Fifteenth Infantry from Fort Bayard to Fort Cummings. In 2 days they covered 45 miles. Steelhammer arrived at his new post on the evening of February 13 and immediately relieved Hedberg.[153] Apparently Steelhammer was used as a trouble-shooter, because after he sorted out problems in the records and amounts of supplies on hand, he was replaced in July by First Lieutenant Henry Hollingsworth Humphries.[154]

Some sources indicate that the Kerns and Mitchell Stage Company built a relay station near Cooke's Spring in 1872 and that the large rock corral south of the spring was part of their installation.[155] This may be true, although the corral appears to be of a later period. Whether the company used Lyons' existing facility or built its own, one thing is certain, the firm was well-established; it advertised in the first issue of Silver City's *Grant County Herald* on March 6, 1875.[156]

Although the conflict between the post-war frontier military and the Apaches was winding down in the early 1870s, the soldiers continued to scout for Indians. In the summer of 1872, Second Lieutenant Frederick Elisha Phelps was on his first Eighth Cavalry patrol under First Lieutenant William Stephenson. They left Fort Bayard on an extensive scouting expedition that included Fort Bowie, and they traveled to the Mexican border before starting back.

At the Florida Mountains, they became so desperately short of water that three of the troopers were temporarily insane from thirst. They finally found a spring where each man had a small drink of water. A private named Gordon, however, demanded more. When Lieutenant Phelps told him that he would have to wait, Gordon pulled a knife and threatened to kill the unarmed Phelps. Lieutenant Stephenson froze the action by drawing his pistol, and the First Sergeant, Corcoran, finished the incident by clubbing Gordon from behind with his carbine. The column marched 50 miles to Fort Cummings the next day, and lost 5 horses within a mile of the spring.

The post commander, First Lieutenant Humphries, invited Stephenson and Phelps to dine with him and his wife. At first the Lieutenants begged off because they were so dirty, but they finally accepted Humphries invitation. Mrs. Humphries, from Philadelphia, had been married to

the lieutenant only two months and was concerned about her ability to host the other officers. Her husband told her not to worry because Phelps and Stephenson were more concerned about quantity than quality.[157] In later years, Mrs. Humphries told Phelps that he and Stephenson had consumed 5 beefsteaks, 10 cups of coffee, and 54 biscuits. Phelps noted, however, that "the biscuits were only about the size of a [silver] dollar."[158]

Captain Edward William Whittemore replaced Captain Humphries (he was promoted in January) as post commander in April 1873. In August, Whittemore left with 38 men of Company F, Fifteenth Infantry, to take up station at Fort Selden. This left First Lieutenant Horace P. Sherman with only 15 men, present and absent, of which 3 were in the later category, leaving only 12 effectives. The detachment under Sherman remained until the end of November, and on December 1, 1873, they marched away, leaving Fort Cummings completely abandoned.[159] Ranchers and travelers would 'borrow' portions of the structure for their own use and the elements would attack the exposed remainder.

A story persists that during the first abandonment of Fort Cummings, the 58 bodies in the cemetery were removed and reinterred at Fort Bayard and then returned to Fort Cummings when it was reactivated a few years later.[160] Patricia K. Novak, director for the Fort Bliss and Fort Bayard National Cemeteries, indicated that no record exists for either temporary or permanent transfer of any burials from Fort Cummings to Fort Bayard.[161]

Endnotes - Chapter 6

1. Ray Charles Colton, *The Civil War in the Western Territories* (Norman: University of Oklahoma Press, 1959), pp. 125-127 (hereafter cited as Colton, *Civil War*).

2. Named for Carleton's former commander, Edwin Vose Sumner. Other sources, for example Gerald Thompson, *The Army and the Navajo, the Bosque Redondo Reservation Experiment, 1863-1868* (Tucson: The University of Arizona Press, 1976), (hereafter cited as Thompson, *The Army*) should be consulted for the Bosque Redondo story.

3. Colton, *Civil War*, pp. 127-128. Carleton and other active army officers became significant shareholders in some of the mines that developed around Pinos Altos.

4. John Carey Cremony, *Life Among the Apaches* (Tucson: Arizona Silhouettes, 1951), pp. 266-267.

5. Lee Myers, "Military Establishments in Southwestern New Mexico: Stepping Stones to Settlement," *New Mexico Historical Review*, Vol. 43 (Jan., 1968), pp. 19-20 (hereafter cited as Myers, "Stepping Stones"); Robert Marshall Utley, *Frontiersmen in Blue: The United States Army and the Indian, 1848-1865* (New York: The Macmillan Company, 1967), pp. 249-251 (hereafter cited as Utley, *Frontiersmen*).

6. Daniel Ellis Conner, *Joseph Reddeford Walker and the Arizona Adventure* (Norman: University of Oklahoma Press, 1956), pp. 21-30 (hereafter cited as Conner, *J. R. Walker*). In Bil Gilbert, *Westering Man, the Life Story of Joseph Walker* (New York: Atheneam, 1983, pp. 299-300 (hereafter cited as Gilbert, *Westering Man*) the Author presented a convincing argument that Walker's middle name was Rutherford.

7. John Myers Myers, *I, Jack Swilling* (New York: Hasting House Publications, 1961), pp. 240-243 (hereafter cited as Myers, *Swilling*). It is strange that Mangas would agree to such a conference. For the best analysis of what probably happened see Lee Myers, "The Enigma of Mangas Coloradas' Death," *New Mexico Historical Review*, Vol. 41 (Oct., 1966), passim.

8. Conner, *J. R. Walker*, pp. 32-39; *War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* 70 Vols. in 128 Parts (Washington: United States War Department, 1880-1901), Series 1, Vol. 50, Part 2, p. 296 (hereafter cited as *Official Records*).

9. Conner, *J. R. Walker*, p. 40. W. W. Mills reported being sent a trinket belonging to Mangas Coloradas but failed to name the donor.

10. *Ibid.*; Gilbert, *Westering Man*, p. 266. It is strange that neither Kearny nor Bartlett, who met Mangas in earlier years, mentioned his out-of-proportion cranium.

11. Myers, "Stepping Stones,", pp. 19-20.

12. Colton, *Civil War*, pp. 129-131.

13. *Official Records*, Series 1, Vol. 15, p. 724. McCleave steadfastly refused to draw his accumulated pay for the period he was held prisoner by the Confederates.

14. Myers, "Stepping Stones," pp. 24-25.

15. Robert Walter Frazer, *Forts of the West* (Norman: University of Oklahoma Press, 1965), p. 100.

16. *Official Records*, Series 1, Vol. 26, Part 1, p. 24.

17. *Ibid.*

18. *Ibid.*, p. 25.

19. John Philip Wilson (ab.), *Records of the Adjutant General's Office, Fort Cummings, Post Records, Record Group 94, National Archives*, Las Cruces BLM, Fort Cummings File, pp. 1-2 (hereafter cited as Wilson, *Fort Cummings*); Bureau of Land Management, *National Register of Historic Places Inventory-Nomination Form* (Las Cruces: United States Department of the Interior, August 12, 1977), Part 7, p. 1 (hereafter cited as BLM, *Historic Places*).

20. *Official Records*, Series 1, Vol. 26, Part 1, p. 238.

21. *Ibid.*, Vol. 50, Part 2, p. 632.

22. Myers, "Stepping Stones," p. 24; Wilson, *Fort Cummings*, pp. 1-2.

23. John Philip Wilson (ab.), *Fort Cummings, New Mexico - Abstract of Monthly Post Returns October 1869 - September 1886* (Santa Fe: Museum of New Mexico, 1970), p. 1 (hereafter cited as Wilson, *Post Returns*). According to BLM, *Historic Places*, Part 8, p. 7, Fort Cummings may have been constructed over a prehistoric site because potsherds have been found there. On-site observation, however, revealed prehistoric pottery fragments contained in melting adobe bricks. Therefore, more scientific

excavations are required to confirm or deny this postulation.

24. Lee Myers, "Mangas Colorado's Favorite Ambush Site," *Old West*, Vol. 5 (Winter, 1968), p. 26 (hereafter cited as Myers, "Ambush").

25. *Letters Sent, Fort Cummings, Post Records, Record Group 393, National Archives* (Microfilm copy at Rio Grande Historical Collection, Roll 1), Drescher to Johnson, November 30, 1863 (hereafter cited as *Letters Sent*, Roll 1).

26. Drescher to Bennett, November 4, 1863, *ibid.* Drescher was still complaining of this problem on January 3, Drescher to Warren.

27. DeLong to Hayden, December 2, 1863, *ibid.*

28. DeLong to Archer, January 3, 1864, *ibid.*

29. Myers, "Stepping Stones," pp. 27-28.

30. For a summary of the Californians' significant involvement in the Southwest, see Darlis A. Miller, *The California Column in New Mexico* (Albuquerque: University of New Mexico Press, 1980), passim (hereafter cited as Miller, *California Column*).

31. Henry Pickering Walker (ed.), "Soldier in the California Column - the Diary of John W. Teal," *Arizona and the West*, Vol. 13 (Spring, 1971), p. 65.

32. Drescher to McCleave, April 21, 1864, *Letters Sent*, Roll 1.

33. DeLong to John May, April 21, 1864, *ibid.* Four days later, another civilian, William B. Roahman, was similarly cautioned.

34. Colton, *Civil War*, p. 135; Utley, *Frontiersmen*, p. 257.

35. Stanley Crocchiola, *The Civil War in New Mexico* (Denver: The World Press, Inc., 1960), p. 338. That early in the year the crops could not have been very mature. What is interesting is that the Apaches were doing some subsistence farming.

36. *El Paso Times*, January 3, 1965, p. 3:1-6; Thomas J. Caperton and LoRheda Fry, *Old West Army Cookbook 1865-1900* (Santa Fe: Museum of New Mexico, 1974), pp. 3-5 (hereafter cited as Caperton and Fry, *Cookbook*).

37. *Letters Sent*, Roll 1, Drescher to McCleave, May 22, 1864. This incident probably had nothing to do with Captain Burkett relieving Drescher in July.

38. Myers, "Stepping Stones," pp. 25, 28.

39. Averam Burton Bender, *The March of Empire: Frontier Defense in the Southwest, 1848-1860* (Lawrence: University of Kansas Press, 1952), pp. 39-40.

40. BLM, *Historic Places*, Part 7, p. 1. The photograph of Fort Cummings taken in mid-October 1867 by William A. Bell (Figure 45) indicates that one of the rooms flanking the sally port may have had an outside window and that a large entry to the corral also breached the exterior wall.

41. Shaw to Cutler, January 18, February 3, 1865, *Letters Sent*, Roll 1.

42. Darlis A. Miller, "The Role of the Army Inspector in the Southwest: Nelson H. Davis in New Mexico and Arizona, 1863-1873," *New Mexico Historical Review*, Vol. 59 (Apr., 1984), p. 149 (hereafter cited as Miller, "N. H. Davis"); Utley, *Frontiersmen*, p. 253.

43. Hugh Meglone Milton, II, *Fort Selden, Territory of New Mexico, 1865-1890* (Las Cruces: Privately Published, 1971), pp. 1, 13-15.

44. Burkett to Cutler, May 27, 1865, *Letters Sent*, Roll 1.

45. Wilson, *Post Returns*, pp. 5-9. During part of this time, Lieutenant John D. Slocum was in command at Fort Cummings.

46. Burkett to Cutler, July 22, 1865, *Letters Sent*, Roll 1.

47. Wilson, *Fort Cummings*, p. 8.

48. The place name Oak Grove has been lost. Perhaps, due to map 'variations,' this was present-day O.K. Canyon.

49. Wilson, *Post Returns*, p. 8; Myers, *Ambush*, p. 74. A massive tombstone emplaced later still marks the spot.

50. Elsie M. Dailey, "John Baptiste Salpointe: First Roman Catholic Bishop of Arizona," *Arizonia*, Vol. 4 (Spring, 1963), pp. 26-27.

51. Myers, "Stepping Stones," p. 35. Fort Bayard was named for Brigadier General George Dashiell Bayard who was wounded at Fredericksburg by a shell fragment on December 13, 1862, and died the following day.

52. Leon Claire Metz, *Fort Bliss: An Illustrated History* (El Paso: Mangan Books, 1981), p. 35 (hereafter cited as Metz, *Fort Bliss*); Francis B. Heitman, *Historical Register and Dictionary of the United States Army, from Its Organization, September 29, 1789, to March 2, 1903*, Vol. 1 (Washington: Government Printing Office, 1903), pp. 123-124, 134-136. Metz mistakenly asserts that in July 1866 the 124th and 125th Volunteer (Colored) Infantry were changed to the 24th and 25th Infantry, respectively, and that the 109th and 110th Volunteer Colored Cavalry were redesignated the 9th and 10th, respec-

tively. The 9th and 10th Cavalry were newly organized on July 28, 1866, as were the 38th, 39th, 40th, and 41st (Colored) Infantry. The 24th and 25th Black Infantry regiments were not created until 1869 by consolidating the 38th and 41st and the 39th and the 40th, respectively.

53. Burkett to Nichols, May 30, 1866, *Letters Sent*, Roll 1.

54. Burkett to DeForrest, August 29, 1866, *ibid.*

55. Foutts to DeForrest, September 11, 1866, *ibid.*

56. Foutts to Carleton, December 25, 1866, *ibid.*

57. Caperton and Fry, *Cookbook*, pp. 4-5; Darlis A. Miller, "The Frontier Army in the Far West: 1860-1900," *The American West*, edited by William D. Rowley (St. Louis: The Forum Press, 1980), p. 11.

58. Thomas K. Todsen, Letter to the Author, October 1, 1984 (hereafter cited as Todsen, Letter to the Author).

59. Odie B. Faulk, *Destiny Road* (New York: Oxford University Press, 1973), p. 152.

60. Eugene O. Porter (ed.), "Letters Home, W. W. Mills Writes to His Family," *Password*, Vol. 18 (Fall, 1972), pp. 128-129. However, the 1862 flood had washed away their house in present-day Canutillo where Emmett had lived for a while.

61. *Ibid.*, p. 186. In William Wallace Mills, *Forty Years at El Paso, 1858-1898*, edited by Rex Strickland (El Paso: Carol Hertzog, 1962), p. 27 (hereafter cited as Mills, *Forty Years*), Mills claimed to have sold the army 4,000 gallons of vinegar at that price and 1,000 bushels of salt for 17 cents per pound.

62. Nancy Miller Hamilton, *Ben Dowell: El Paso's First Mayor* (El Paso: Texas Western Press, 1976), pp. 34-39 (hereafter cited as Hamilton, *Dowell*). After Mills married in 1869, he withdrew from the partnership.

63. *Ibid.*, p. 42. Ben Dowell's daughter Mary listed Ethan as an attendee at a Washington's Birthday party on February 22, 1866. According to Joseph Allen Stout, Jr., *Apache Lightning* (New York: Oxford University Press, 1974), pp. 41-42 (hereafter cited as Stout, *Lightning*), the Mills brothers were forced to return Hart's property in 1873 after lengthy suits.

64. William Aloysius Keleher, *Turmoil in New Mexico, 1846-1868* (Albuquerque: University of New Mexico Press, 1982), p. 270 (hereafter cited as Keleher, *Turmoil*).

65. Metz, *Fort Bliss*, pp. 30-33; Stout, *Lightning*, pp. 36-38. For example, Hugh Stephenson's family, which by this time included his daughter Benancia's husband Albert H. French (late of the California Column), battled the confiscation of the Concordia and Brazito holdings in court. In November 1865 they won.

66. Darlis A. Miller, "Carleton's California Column: A Chapter in New Mexico's Mining History," *New Mexico Historical Review*, Vol. 53 (Jan., 1978), pp. 12-13, 23; Miller, "N. H. Davis," pp. 150, 154.

67. *Official Records*, Series 1, Vol. 34, Part 1, p. 880. Wayne R. Austerman, *Sharps Rifles and Spanish Mules: The San Antonio-El Paso Mail, 1851-1881* (College Station: Texas A & M University Press, 1985), pp. 190-192 (hereafter cited as Austerman, *Sharps Rifles*) indicated a wounded man escaped with Ford. Hamilton, *Dowell*, pp. 34-35, placed the incident on May 13. Robert Norville Mullin, *Stagecoach Pioneers of the Southwest* (El Paso: Texas Western Press, 1983), p. 5, asserted that the Confederates were camped 10 miles above Presidio, and the attack was led by Captain Albert H. Smith on May 14. Perhaps none of these sources are entirely correct.

68. *San Antonio Express*, May 4, p. 22:3, May 18, 1902, p. 13:1. Giddings hardly sounded like the reluctant participant he made himself out to be later when he presented his claims against the federal government.

69. Myers, *Swilling*, pp. 243-245.

70. Fayette Alexander Jones, *New Mexico Mines and Minerals* (Santa Fe: The New Mexico Printing Company, 1904), p. 48.

71. R. S. Allen, "Pinos Altos, New Mexico," *New Mexico Historical Review*, Vol. 23 (Oct., 1948), pp. 305-306; Burkett to Bowin, October 6, 1866, *Letters Sent*, Roll 1.

72. Austerman, *Sharps Rifles*, p. 200. Fred S. Perrine, "Uncle Sam's Camel Corps," *New Mexico Historical Review*, Vol. 1 (Oct., 1926), pp. 442-443 (hereafter cited as Perrine, "Camel Corps"), copying the *Portland Oregonian*, November 20, 1865, claimed that one of Sterling Price's Infantry Captains used a camel throughout the Civil War to carry his entire company's baggage weighing over 1,200 pounds.

73. Perrine, "Camel Corps," p. 443.

74. Austerman, *Sharps Rifles*, p. 201.

75. Keleher, *Turmoil*, p. 209; Stout, *Lightning*, p. 33.

76. Charles Leland Sonnichsen, *Roy Bean, Law West of the Pecos* (Old Greenwich, Connecticut: The Devin-Adair Company, 1943), pp. 45-46. The Beans later moved to Silver City and then to Las Cruces where Sam died nearly 40 years later.

77. Ezra J. Warner, *Generals in Gray* (Baton Rouge: Louisiana State University Press, 1959), pp. 246-247. Price returned to Missouri in 1866.

78. Cornelius Cole Smith, Jr., *William Sanders Oury: History-Maker of the Southwest* (Tucson: The University of Arizona Press, 1967), pp. 171-172.

79. Henry Labbeus Oak, *History of Arizona and New Mexico 1530-1888*, Vol. 17 of *The Works of Hubert Howe Bancroft* (San Francisco: The History Company, Publishers, 1889), p. 552; Thomas W. Dunlay, *Wolves for the Blue Soldier: Indian Scouts and Auxiliaries with the United States Army, 1860-1890* (Lincoln: University of Nebraska Press, 1982), p. 74.

80. Foutts to DeForrest, November 24, 1866, January 10, 1867, *Letters Sent*, Roll 1.

81. Foutts to DeForrest, May 20, 1867, *ibid*.

82. Randy Steffen, *The Frontier, the Mexican War, the Civil War, the Indian Wars, 1851-1880*, Vol. 2 of *The Horse Soldier: 1776-1943* (Norman: University of Oklahoma Press, 1979), p. 95; Foutts to Corbett, June 1, 1867, *Letters Sent*, Roll 1.

83. Eve Ball, Nora Henn, and Lynda Sanchez, *Indeh: An Apache Odyssey* (Salt Lake: Brigham Young University Press, 1980), pp. 95-97.

84. Henry James, "Route of the Overland Mail," *New Mexico*, Vol. 45 (Oct., 1967), p. 29.

85. Virginia Measday and George Pete Measday (eds.), *History of Luna County, New Mexico - Supplement 1* (Deming: The Luna County Historical Society, Inc., 1982), p. 3 (hereafter cited as Measday and Measday, *Luna County*).

86. Wilson, *Post Returns*, p. 17.

87. Referring to William Thornton Parker, *Annals of Old Fort Cummings New Mexico 1867-1868* (Fort Davis: Frontier Book Company, 1968).

88. Foutts to Corbett, August 21, 1867, *Letters Sent*, Roll 1.

89. Foutts to Corbett, August 26, September 9, 1867, *ibid*.

90. Karen Current, "Dr. William A. Bell (1841-1921)," *Photography and the Old West* (New York: Abradale Press/Harry N. Abrams, Inc., in association with the Amon Carter Museum of Western Art, 1986), p. 48.

91. William Abraham Bell, *New Tracks in North America: A Journal of Travel and Adventure Whilst Engaged in the Survey for a Southern Railroad to the Pacific Ocean During 1867-8* (London: Chapman and Hall, 1869), pp. 10-14. From his record, it would seem that Bell was more interested in sampling the wine and brandy along the Rio Grande Valley than in the route for the railroad. His descriptions add significantly, however, to Southwestern data and the character of its citizens.

92. Wilson, *Post Returns*, p. 17.

93. Miller, *California Column*, p. 132; Foutts to Merriam, November 13, 1867, *Letters Sent*, Roll 1. Both men were probably working for J. F. Bennett.

94. Measday and Measday, *Luna County*, pp. 2-3.

95. Timothy Cohrs, *Fort Selden, New Mexico* (Santa Fe: State Monuments Division, Museum of New Mexico, 1974), p. 12 (hereafter cited as Cohrs, *Fort Selden*).

96. Until 1878 each company was authorized four laundresses who received wages and military rations.

97. Harrington remains unidentified. Perhaps he was the station agent for the stage company.

98. Frank McNitt (ab.), *Office of the Judge Advocate, Registers of Court-Martial Cases, 1809-1890, Record Group 153, National Archives*, Las Cruces BLM, Fort Cummings File, pp. 1-17. For one of the better analyses of this incident, see Lee Myers, "Mutiny at Fort Cummings," *New Mexico Historical Review*, Vol. 46 (Oct., 1971), passim.

99. Wilson, *Post Returns*, p. 18.

100. *Ibid.*, pp. 19-20.

101. Wilson, *Fort Cummings*, p. 8.

102. Wilson, *Post Returns*, p. 21; Myers, "Stepping Stones," pp. 30-31; Leggett to Sweet, March 5, 1868, *Letters Sent*, Roll 1; Sandra L. Myres (ed.), *Ho for California* (San Marino: Huntington Library, 1980), p. 281 (hereafter cited as Myres, *Ho*).

103. Myers, "Stepping Stones," p. 38; In Mills, *Forty Years*, p. 195, the date was set at the 18th.

104. Thompson, *The Army*, pp. 160-165.

105. Moore to Adjutant General, New Mexico, September 4, 23, 1868, *Letters Sent*, Roll 1; Cohrs, *Fort Selden*, p. 12.

106. Henry Jackson, Report to Office of Chief Engineer, April 12, 1870, Las Cruces BLM, Fort Cummings file. There was no indication of how deep the 16 posts were buried.

107. Cohrs, *Fort Selden*, p. 12; Moore to AAG,

February 3, 1869, *Letters Sent*, Roll 1.

108. United States Army, *Description of Military Posts* (Washington: War Department, 1870), p. 239 (hereafter cited as USA, *Military Posts*).

109. Moore to AAAG, March 16, 21, 1869, *Letters Sent*, Roll 1. Little came of Moore's expedition that took a month and traveled 1,241 miles.

110. Steele to AAAG, April 5, 1869, *ibid.*

111. Moore to John Davis, July 18, 1869, *ibid.*

112. Moore to AAAG, July 24, 1869, *ibid.*

113. Dan L. Thrapp, *Victorio and the Mimbres Apaches* (Norman: University of Oklahoma Press, 1974),
p. 100.

114. Myers, *Ho*, p. 196.

115. *Ibid.*, pp. 200-225.

116. *Ibid.*, pp. 226-227.

117. *Ibid.*, pp. 228-232. The discrepancy between the claim that the stage stations were still unoccupied and the previous information that the facilities had been repaired is unresolved. Perhaps this portion of the route was one of the sections that was changed.

118. Moore to AAAG, February 3, 1869, *Letters Sent*, Roll 1. Moore wanted the house to use for the laundresses, or have Samuel Jones remove the house.

119. According to Foutts to Corbett, August 17, 1867, *ibid.*, a Mark Herring had been employed at the post as a guide. His discharge was directed on this date for selling fresh beef to civilians, which was against the rules.

120. Moore to AAG, April 1, August 26, September 23, Steele to AAAG, May 24, Steele to Jones, June 20, 1869, *Letters Sent*, Roll 1.

121. Moore to AAAG, September 23, 1869, *ibid.*

122. USA, *Military Posts*, p. 239.

123. Hedberg to AAAG, October 14, 1869, *Letters Sent*, Roll 1.

124. Ryan to Davis and Burella, December 7, 1869, *ibid.*

125. Bureau of the Census, Federal Census Population Schedules, Ninth Census (1870), New Mexico, Micro-copy No. 593, Roll No. 893 (hereafter cited as Census, 1870) That summer, the census listed 186 people in Los Mimbres, later called Rio Mimbres. This was most likely the former Mowry City. Newsham's decision to relocate was a good one. In the *Grant County Herald*, March 13, 1875, p. 3:4, he reported that he had 1,000 head of beef cattle, work-stock and wagons of all kinds, and everything any prospector or miner wanted.

126. Miller, *California Column*, p. 269; Wilson, *Post Returns*, p. 31; Todsen, Letter to the Author.

127. Hedberg to Mason, March 29, 1870, *Letters Sent*, Roll 1.

128. Lansing Bartlett Bloom, "Bourke on the Southwest," *New Mexico Historical Review*, Vol. 9 (Jan., 1935), p. 41.

129. *Ibid.*, pp. 45, 55-56.

130. Ulysses Simpson Grant, Executive Order, April 29, 1870, Las Cruces BLM, Fort Cummings file. "Unconditional Surrender" Grant's name, altered in later years at the academy, was actually Hiriam Ulysses Grant.

131. Hedberg to Kobbe, April 23, 1870, *Letters Sent*, Roll 1; Miller, *California Column*, p. 144.

132. "Silver City Museum," *Silver City: Four Historic Scenic Tours* (Silver City: Grant County Chamber of Commerce, 1988), n.p.

133. Census, 1870.

134. Fitch to Kobbe, May 17, 1870, *Letters Sent*, Roll 1.

135. Myres, *Ho*, p. 196.

136. *Ibid.*, pp. 255-285.

137. Ryan to Post Trader, July 12, 1870, *Letters Sent*, Roll 1.

138. Fitch to W. V. B. Wardwell, October 21, 1870, *ibid.*

139. Miller, *California Column*, pp. 131-132; *Las Cruces Borderer*, March 1, 1871, p. 4:6.

140. Hedberg to AAAG, Fort Leavenworth, January 10, 1871, Fitch to Lyons, February 9, 1871, *Letters Sent*, Roll 1.

141. Todsen, Letter to the Author.

142. Thomas Matthouse Pearce assisted by Ina Sizer Cassidy and Helen S. Pearce (eds.), *New Mexico Place Names* (Albuquerque: University of New Mexico Press, 1965), p. 97, mentioned that a Mexican family was massacred here in 1870, but this has not been confirmed.

143. Steelhammer to Griggs, July 23, 1872, *Letters Sent*, Roll 1, offered a high probability that "Kyntuck" was W. T. Fleming.

144. *Las Cruces Borderer*, March 16, 1871, 1:1-4.

145. *Ibid.*, March 23, 1871, p. 1:3.

146. Robert Marshall Utley, *The Indian Frontier of the American West, 1846-1890* (Albuquerque: University of New Mexico Press, 1984), p. 139.

147. *Las Cruces Borderer*, May 4, 1871, p. 1:1.

148. *Ibid.*, April 27, p. 1:4, May 4, 1871, p. 1:1.

149. Ryan to AAAG, September 20, 1871, *Letters Sent*, Roll 1.

150. Andy Gregg, *Drums of Yesterday* (Santa Fe: The Press of the Territorian, 1968), p. 28. The term shoddy, coined for anything of inferior value, was originally the name for a Civil War-era woolen cloth woven from reprocessed materials. Its durability was extremely poor.

151. Don Rickey, Jr., *Forty Miles a Day on Beans and Hay: The Enlisted Soldier Fighting the Indian Wars* (Norman: University of Oklahoma Press, 1977), p. 127.

152. Fitch to Lyons, January 20, 1872, *Letters Sent*, Roll 1.

153. Wilson, *Post Returns*, p. 39.

154. *Ibid.*, p. 41; Steelhammer to Sartle, February 17, Steelhammer to AAAG, March 3, 1872, *Letters Sent*, Roll 1.

155. Richard C. Hindley, "Indian Country Fort," *Your Public Lands*, (Vol. unknown) (Washington: Department of the Interior, no date), p. 4; New Mexico State Register of Cultural Properties, *Application for Registration - 0548*, Las Cruces BLM, Fort Cummings File (Santa Fe: State Planning Office, no date), p. 2.

156. *Grant County Herald*, March 6, 1875, p. 2:5.

157. Wilson, *Post Returns*, p. 43.

158. Frank D. Reeve (ed.), "Frederick E. Phelps: A Soldiers Memoirs," *New Mexico Historical Review*, Vol. 25 (Apr., 1950), pp. 127-130. Phelps sets the incident in 1871 but Humphries was not the post commander, or even at the post, until 1872. Therefore, the later date was selected as correct.

159. Wilson, *Post Returns*, pp. 44-45; Wilson, *Fort Cummings*, p. 3.

160. BLM, *Historic Places*, Part 7, p. 2.

161. Patricia K. Novak, Letter to the Author, August 24, 1988.

Chapter 7

Peace at Last and the Closing of the Frontier, 1874-1892

Major changes occurred during this period that Fredrick Jackson Turner termed the closing of the Frontier. Much of the free land, upon which people for many years would be willing to settle, already had some citizens ensconced on it. In this process, much of Turner's "orderly progression" of trappers and traders, cattlemen, miners, and farming by families and agrabusinesses had appeared in the Southwest. The wave of emigrants had reached the sea and washed back onto much of the land between the Mississippi and the coast.

Conflicts between the citizens and the Apaches, with the Military acting as referees, ebbed and flowed and the continuing low-key confrontation occasionally exploded when one or another Apache leader was provoked beyond his self-established limits of tolerance. Between the short bloody wars, there were periods of relative peace and economic development in the Southwest. The mining industry flourished with new sources of precious metals located in the mountains around Pinos Altos and Silver City. On Cooke's Peak, or Standing Mountain as the Apaches called it, a much different type of mining developed. Miners congregated to dig high quality lead ore near the top of the mountain and to form stable communities.

New communications and transportation systems aided the military in coordinating their efforts to report the news to the citizens and to move soldiers quickly to newly threatened areas. The telegraph and heliograph were used extensively by the military to counter the Indians' ability to move undetected or fade away from a raid before a column of soldiers could be dispatched. Transportation networks by stageline were rebuilt and expanded until the railroad advanced through the southern edge of the country and joined with other rail lines that had been progressing slowly from the east. Following the introduction of the iron horse to the Southwest, with its special cars for transporting emigrants and their possessions, the road that for years had been the lifeline between the East and West fell into disuse, neglect, and abandonment. Never again would it carry the life blood of the country past the foot of Cooke's Peak.

A Period of Relative Peace and Economic Development

The closing of Fort Cummings in late 1873 was apparently justified, because only a few violent incidents marred the period from 1874 to 1879. The road that passed through Cooke's Canyon was again open to relatively peaceful travel by the various citizens passing east or west. Emigrants, stage passengers, freighters, and stockmen once more watered at the spring before continuing on.

The continued military presence in present-day New Mexico and Arizona, subsistence requirements for Indian reservations, and an increasing population concentration all required more beef. John Simpson Chisum (Figure 47) had carved out a huge cattle empire along the Pecos River in New Mexico and found the Arizona markets an outlet for many of his "Jingle Bob" cattle. In 1875, Chisum supplied the firm of Ewing and Curtis of Tucson with cattle to fulfill their beef contract to the Arizona Territory Indian Agencies. That summer, probably in several drives, Chisum cowboys herded 11,000 head across the Rio Grande and through Cooke's Canyon.[1]

The summer of 1877 saw the continued use of the road by cattle herds headed for Arizona. Chisum drove another herd through to a beef contractor, and First Lieutenant John Little traveled from Fort Bayard to Fort Cummings to meet his brother who was bringing through a herd. Little's brother had started from Kansas, and the herd included a 3-year-old cross-breed bull valued at $500.[2]

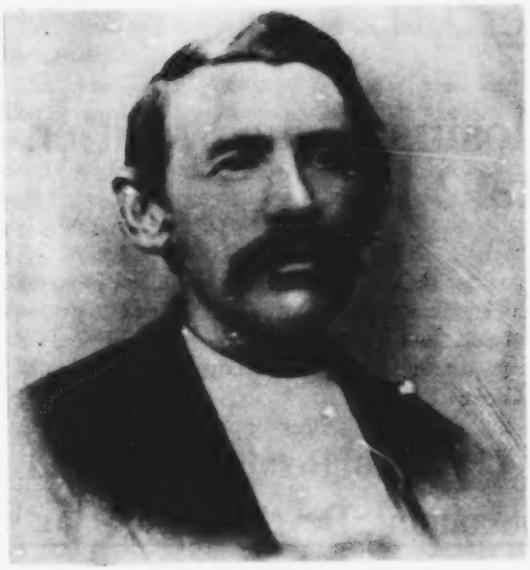


Figure 47. John Simpson Chisum. Photo courtesy of the Museum of New Mexico, #9843.

In mid-summer 1877, a different sort of caravan reached Silver City, and the administration of John D. Slocum's Ranch changed hands. John Swisshelm had driven 118 large burros to the mining country from near Austin, Texas.[3] On the way to Cooke's Spring he was probably greeted by the new proprietor when he stopped to water his stock at Slocum's Ranch. Richard S. Mason had leased Slocum's facility and he later purchased it.[4]

In the spring of 1878, an interesting stock drive came through Cooke's Canyon and ended in tragedy. In the 1850s thousands of sheep had been driven to California to supply the rapidly increasing population. Now a sheep herd was being driven from California, heading for Texas, by a man named Warner (or Wagner). After moving through Cooke's Canyon, then crossing the Rio Grande and the Tularosa Basin, the herders were attacked by a band of local bandits, including, or possibly led by, Jessie Evens. Warner and Tom Hill, one of the outlaws, were killed in the fight, and Evens (another figure in the Lincoln County War) sustained a bullet-shattered wrist and gave himself up to the authorities.[5]

At least one family migrated through Cooke's Canyon in both directions within a short period of time. In 1877 the Jones family had to leave New Mexico when one of the boys, John (a later participant in the Lincoln County War), killed a former friend, named Riley, when forced into a duel. The matriarch of the family, Barbara Jones, drove the team of Spanish mules while her husband, Heiskell, walked beside the other wagon pulled by oxen. Her sons John, Jim, and Marion drove the cattle. They crossed the Tularosa Basin, passed through San Augustine Pass, and forded the Rio Grande. The family continued past Cooke's Spring and on to the Tucson area. They did not stay there very long. There was little work to be had, and another son, Sammie, came down with a fever. Soon after Barbara gave birth to a fifth son, Henry, they returned east to Fort Stockton, Texas, via Cooke's Spring and El Paso.[6]

The expanding populations of the mining communities in New Mexico and around Tucson required a considerable flow of merchandise. Many of the supplies and much of the equipment came from Mexico or El Paso through Cooke's Canyon. Examples of this continuing massive effort were the two freight trains that unloaded for the J. F. Bennett and Company's store in Silver City in the spring of 1875. Lesinsky of Las Cruces had shipped 42,000 pounds of assorted merchandise via Trujillo's train, and a few days earlier two other freighters had unloaded 20,000 pounds of salt and 15,000 pounds of corn.[7]

The many heavy freight wagons precipitated a problem with the road in 1877. Some time in the late 1860s or early 1870s, the road around Picacho Peak's north side had been shifted to the south side. Unfortunately, the soil there did not stand up well to use. In 1877 it became so bad, due to the deep sand, that heavy freight wagons could negotiate the grade only with great difficulty. Mesilla residents proposed that, because the sand prevented any improvement, the road be changed back to the north side and if the road commissioner could not include it in his efforts, that the freighters and stage operators get together and do it themselves.[8]

Meanwhile, several mail and transportation lines and freighting efforts flourished along the old road, and business was good at each water source. In fact, places such as Slocum's, Fort Cummings, and Rio Mimbres added facilities for overnight guests to their inventory of services and supplies. All was not quiet, however; the raiding Apaches were soon

replaced by another, albeit usually less violent, travel hazard. The road agent, later depicted so frequently on the silver screen, finally made his debut.[9]

Chisum, in one of his many trips to and from Arizona, had the dubious honor of being involved in the first recorded holdup in Cooke's Canyon. On January 12, 1876, Chisum was returning from Tucson with his attorney, Thomas F. Conway, and some other passengers. As the coach progressed slowly up a rocky hill, probably at the foot of Massacre Peak, three masked men ordered the driver, a man named Lancaster, to stop and disembark. The guard, Fred Kaiser, and the passengers were also made to dismount. Chisum supposedly shoved most of the $1,000 he was carrying in his boot and handed over only a small sum. The bandits were probably not too disappointed, however, because they made off with $4,000 worth of silver bullion shipped by Joseph F. Bennett and H. M. Porter.[10]

The coach continued to Mesilla without further incident. Samuel J. Lyons must have been involved in some manner because he signed in at the Corn Exchange Hotel in Mesilla the following day and noted in the register that a reward of $3,000 was offered for the capture of the three road agents.[11]

Coaches using the old road continued to be robbed. On May 9, near the east end of the canyon, where the road runs through a rocky stream bed and makes a sharp turn between two walls, the bandits struck again. The passengers and crew, John D. Morrell, F. B. Cox, Joe Kier, and a Miss Maggie Wilson, were robbed, but the mail was not taken. The outlaws did not net much for their efforts, only $4.50 cents in cash and a revolver, because the men had hidden their watches.[12]

Justice finally prevailed, however, and the bandits, or at least some of them, were apprehended. Joe Hubert, alias Dutch Joe, was tried and convicted of having twice robbed the stage in Cooke's Canyon. The first time he had been aided by Roscoe Burrell, a man named Henry, and another who was not identified. They buried the silver bars near the site and came back four or five days later to retrieve them. In the second robbery Hubert was aided by Robert Martin. Hubert was also convicted of "retarding the United States Mail," but no sentence was reported on any of the counts.[13]

The nine would-be thieves who stopped the stage seven miles east of Fort Cummings during the first week of October 1877 were much more congenial. They asked the driver, a man named Moorehead, if he had anything on the stage, and he indicated that he did not. After requiring him to have a drink with them, the bandits remarked that they were leaving the country and let Moorehead proceed.[14] This was the same bunch that Samuel Carpenter met earlier in Cooke's Canyon; Carpenter reported that Henry "Billy the Kid" Antrim was one of the group. The same gang apparently had shot at George Williams at the Warm Springs Ranch, but left quickly when he returned their fire.[15]

The stage line operating between Mesilla and Tucson changed in mid-1878. The National Mail and Transportation Company took over several routes, including the one through Cooke's Canyon, and the holdups continued. During May and June of 1878 the stages were harassed by a lone bandit. The first incident took place in Cooke's Canyon, again near Massacre Peak, when he held up the eastbound stage driven by Sam Eckstein and carrying several passengers. The bandit took about $30 from Colonel John Paine Williard, the United States Paymaster, and First Lieutenant Frank West. A Mr. Hathaway, Williard's clerk, had only a dime on him, which the robber refused, telling Hathaway he should use it to get something to eat.[16]

A lone robber, probably the same man, struck twice in June before disappearing from the scene. The bandit stopped the westbound coach a few miles east of Fort Cummings, but, since no passengers were aboard, the bandit had to be satisfied with the mail and three express packages. About a week later, a lone road agent struck north of Silver City, and after examining the mail, gave it back and departed. The robber was probably Brazelon, killed later that year near Tucson. Silver City resident Max Shultz's watch, taken in the Cooke's Canyon holdup, was found on the bandit's body.[17]

The negative impact of the road agents was partially offset by the establishment of a new communication system that could be used to alert officials of holdups or other problems along the road. By 1873 the military telegraph line from San Diego had reached Tucson and branched out to other army posts in Arizona. In New Mexico, the line from Missouri had been extended to Santa Fe. On March 3, 1875, Congress authorized $30,000 to connect Santa Fe and Tucson. In July, Third Infantry Second Lieutenant Philip Reade, using military labor, began construction of the connecting line. Despite using

poles only every 200 or more feet, and avoiding the use of civilian labor, the project was under-funded. Reade held meetings with various communities and received the support he needed. He obtained poles from Valencia County and Silver City, and also procured some for half price from Bernalillo County. The residents of Las Cruces and Mesilla contributed $1,500, and farmers and ranchers along the route hauled the poles free of charge. When the telegraph line reached Fort Cummings in the spring of 1877, an operator was stationed at Sam Lyons' place to manage it.[18] With similar cooperation in Arizona, the line was completed to Silver City by March and to Tucson by May 1877.[19]

The new communication system linking the military posts of the Southwest was completed none too soon. Trouble with the Indians was gradually building. On August 17, 1876, Apaches raided Joseph Williams and Thomas Cromwell on the Middle Mimbres River. Ten days later either the same Indians or a similar group repeated the act, each time stealing some horses. Cromwell, Williams, and another man trailed the Apaches into the mountain range north of Cooke's Peak but were repulsed by the Indians. They reported the situation to Captain Charles D. Beyer, who dispatched Second Lieutenant Henry Haviland Wright with 20 Ninth Cavalry troopers and 10 Navajo scouts to pursue the Indians. A few days later they had a sharp engagement with about 40 or 50 Apaches.[20]

Several weeks later, Captain Henry Carroll and 25 Ninth Cavalry troopers left Fort Selden for an extensive tour through the Floridas, Cooke's Spring, and Slocum's Ranch. Carroll had two minor engagements with one confirmed kill and only one of his men wounded.[21]

At this point, the Apaches were apparently operating in small groups and creating disturbances. In Silver City, a freighter named Gonzales reported in September 1876 that he had seen 15 Indians near the old Goodsight stage station and another three in Cooke's Canyon. It was probably the first party that hit Slocum's Ranch the same week. When one of the men at Slocum's pursued an Indian who had stolen a horse, he encountered about 14 warriors and abandoned the chase.[22]

Late the following month the newspaper reported that during the past 10 days several Indians had been sighted. Apaches had been spotted at San Augustine Springs, Carlee Springs, Jackson's Ranch on the Jornada del Muerto, and again at Slocum's Ranch. The raids had been confined to horse stealing, but the editor foresaw grimmer events. He urged that a militia company be formed to chase the Indians back onto their reservations, and if this was not accomplished, he predicted that taking citizen's scalps would be added to the taking of horses.[23]

Soldiers stationed at Fort Selden attempted to curtail the Indians' activities. On October 27, 1876, Second Lieutenant Millard Fillmore Goodwin and 25 Ninth Cavalry troopers picked up a trail of eight Apaches and a herd of horses in the Floridas and followed it north where it crossed the road near Slocum's Ranch. They followed the Indians to Ojo Caliente, above Fort Craig, before they had to return to Fort Selden. The editor of the local press claimed that patrols from Fort Bayard had followed several parties of Indians to the same reservation.[24] He further indicated that the Apaches were using the horses for trading in Mexico and were also working at establishing a peace with some of the northern Mexico towns, another ominous indication.[25] This was a familiar Apache tactic, to establish good relations on one side of the border when planning trouble on the other.

Captain Beyer, in command at Fort Bayard, sent detachments against the roving bands of Indians. Beyer dispatched Lieutenant Wright and 11 Ninth Cavalry troopers and 3 Navajo scouts to Fort Cummings. About January 28, 1877, Wright and a small mixed detachment killed five Apaches in a fire-fight. The Lieutenant accounted for two Indians with his pistol at point-blank range when the preengagement negotiations broke down. Afterward, he and his command returned to Fort Cummings.[26]

Four days later Captain Beyer and another detachment from Fort Bayard clashed with 25 Apaches. There were no confirmed casualties on either side, but the army destroyed the Indians' supplies and equipment. Captain Beyer recommended that General Edward Hatch, commanding the District of New Mexico, station an officer and 20 men at Fort Cummings. Hatch agreed, but General Pope vetoed the idea.[27]

Perhaps Pope did not see any necessity for assigning soldiers to Fort Cummings, but the newspaper editor at Silver City disagreed. The editor complained about the abandonment of Fort Cummings and pointed out the sinister reputation of Cooke's Canyon and its vicinity. Lyons probably would not

have quarreled with the description of the canyon as "dead man's arroya [sic]" or "hells delight," and that more lives had been lost there to Indians than any other place in New Mexico.[28] However, when the writer commented that there were "no settlements or helping hand there to stay the scalping knife of the murderous Apache" or that the area was "not sweetened by anything that has any humanitizing [sic] effect," old Sam might have been upset.[29]

An uneasy quiet that had settled over the area was soon disturbed. Part of the difficulties was due to the fact that the Mimbres Apaches had been sent to the dreaded San Carlos Reservation on the Gila River in Arizona in 1877. Conditions there were so bad that Victorio (Figure 48) led his people back to Ojo Caliente in Alamosa Canyon. On March 20, Indian Agent John Clum was sent to again remove them to San Carlos. He arrested Victorio and other leaders, and by May 20 the Apaches were back on the reservation. In September, however, Victorio again left San Carlos, this time with about 300 men, women, and children and headed into Mexico.[30]

The mail riders and stages continued to be harassed by various parties. An expressman arrived safely from the west at Mesilla on September 28, 1877, after surviving an attack by Indians west of unmanned Fort Cummings. They fired at him several times without effect, and after he killed one of their horses, the Apaches broke off the attack.[31] Robert V. Newsham was not so fortunate. An Apache raiding party hit his ranch, on the Mimbres, killed one man and wounded another before burning Newsham's house.[32]

Loco and his people also fled the reservation because of Victorio's urging and threats. However, Loco was aware that continued resistance would eventually eradicate the Apaches. He was convinced that, despite the conditions at San Carlos, his people had to return to the reservation. Consequently, in 1878 Loco decided to take his Apache band back to San Carlos. They were attacked by the Cavalry near the east end of Cooke's Canyon, and several Apaches were killed before Loco could convince the military that the Indians were heading for San Carlos voluntarily.[33]

The Apaches did not create many serious problems in late 1877 or early 1878. As a result, in July 1878, military presence in the Southwest was further curtailed when the garrison of Fort Craig was withdrawn. Only a junior officer and seven enlisted men were left as caretakers of the facility. Fort Selden was receiving similar treatment at the time.[34]

Unfortunately, peace and prosperity did not last long. On January 10, 1879, Apaches attacked two men cutting wood for Sam Lyons. The men had carelessly left their guns with the wagon, and the Indians got between them and their weapons. One man, identified only as Charlie, was hit in the chin by an arrow and managed to run about 500 yards before he fell, where the Indians finished him with rocks and a hatchet. The other man, David Sullen, suffered a worse fate. Evidence at the scene indicated that he had been taken alive. The Apaches also took the four horses and cut the harness in pieces.

Lyons was still recovering from the tragedy when Third Cavalry Second Lieutenant James Allen arrived on his way to Santa Fe. Allen kept the telegraph line open and reported the circumstances to Captain Beyer at Fort Bayard. Beyer immediately dispatched Second Lieutenant Charles Allen Bradly and 12 Ninth Cavalry troopers to the scene. The detachment rode all night through drenching rain to get to Cooke's Spring. Lyons indicated that the loss was a severe one for him, because he had no wood on hand for the winter nor any means of getting any.[35]

In April 1879 Victorio and some of his people returned to Ojo Caliente, northwest of Fort Craig, and surrendered to the army. Later they moved to the Tularosa Agency.[36] Peace was achieved, temporarily.

The "Last" Indian Wars and a Shift in Transportation and Routes

During 1879, continued Indian depredations culminated in the short vicious wars between the United States military and the Apaches, serially led by Victorio, Nana, Loco, and others. By November 1879, these conflicts created the necessity for stationing some troops on field duty at previously abandoned Fort Cummings, and the facility was formally reopened in the summer of 1880.[37] From the time of Victorio's breakout, in August 1879, until well after his death in Mexico, in October 1880, the Southwest was in constant and justifiable fear of the

Figure 48. Victorio. Photo courtesy of the Arizona Historical Society, #19705.

Apaches.[38] The war would not be truly over until the final surrender of Geronimo in 1886.

In July of 1878 three civil indictments had been handed down in Silver City that would have far reaching consequences. Victorio was charged with one count of murder and two for horse stealing. Victorio became aware of this action and in late August 1879 the Apache misinterpreted the presence of some New Mexico officials at Tularosa. Judge Warren Bristol and Prosecuting Attorney Albert Jennings Fountain were only members of a hunting party, but Victorio thought they were about to arrest him again. Consequently, he and about 60 warriors fled the reservation, crossed the Tularosa Basin and Rio Grande, and sought the sanctity of the Black Range. Near Ojo Caliente they raided the Ninth Cavalry's horse herd, killed 5 soldiers and 3 civilians and escaped with all 46 of Captain Ambrose Eugene Hooker's Company E horses.[39]

On September 18, 1879, about 20 miles above Hillsboro, Victorio laid an ambush for Captain Byron Dawson and 46 Navajo scouts and men from the Ninth Cavalry. The troops and scouts were pinned down and even when augmented by 54 men (mostly militia) from Hillsboro led by Captain Beyer, the soldiers could do little more than extricate themselves from the trap. Second Lieutenant Matthias Walter Day crossed 200 yards of open space under heavy fire and rescued one of his wounded soldiers. Captain Beyer wanted Lieutenant Day court-martialed for disobeying orders, but Congress instead awarded him a Medal of Honor, although Day would have to wait until May 7, 1890, for the award. The Whites lost five soldiers, a citizen, Jack Hagan, and two Navajo scouts. In addition, two soldiers received serious wounds, and most of the soldiers' supplies and horses were lost to the Apaches.[40]

Once again, the civilians experienced the next major blow. Victorio, augmented by Mescalero Apaches, attacked a Mexican freight train near Magdelena Canyon in mid-October and wiped out all 10 drivers.[41] They struck next at Lloyd's Ranch, about nine miles southwest of Colorado (present-day Rodey), where they killed at least five people and slaughtered the animals. A small rescue party from Colorado was driven back resulting in the deaths of four more citizens. Reinforcements were gathered, but that party of approximately 35 was also repulsed.

Word of the attack also had been sent to Mesilla, and another relief party was formed to help out. The group followed the old road toward Magdelena Canyon but ran into a large number of Apaches. Five men were killed, including Samuel Jones' son, William T. Jones. Finally, a party of about 75 men from Mesilla, Las Cruces, Dona Ana, and other villages, led by William Logan Rynerson, gathered and followed the same route. They buried the dead, including the teamsters, before moving on to Lloyd's Ranch where they arrived much too late.[42]

While Major Albert Payson Morrow gathered his

troops and supply train at Fort Cummings, Victorio slipped by and headed for Mexico. On October 19 and 20, the command moved out, with Second Lieutenant Charles Bare Gatewood in the lead with his Apache scouts and Morrow following with the rest of the command. The command clashed with Victorio south of the border, but he was in a formidable position and could not be dislodged. Morrow returned to the United States, and a few days later Victorio annihilated two Mexican detachments before retiring from the area.[43]

By late November, 25 soldiers and an equal number of Indian scouts were stationed at Fort Cummings under Second Lieutenant James Allison Maney. The road from Slocum's Ranch to the Mimbres was constantly patrolled to intercept any Apaches.[44]

During this period, robberies by road agents were also occurring. The soldiers camped at Fort Cummings could not prevent two mail robberies that took place in the vicinity of the old Goodsight station. The buckboard mail from Silver City was held up, but fortunately little of value was obtained by the bandits.[45]

However, robberies by road agents soon would be the least of the transportation companies' and the soldiers' problems. By December 1879, Victorio was headed north again. Various military units along the border in Arizona, New Mexico, and Texas girded to meet the new threat, and if possible, put an end to it. In January 1880 General Hatch ordered the Ninth and Tenth Cavalry Regiments, including Major Anson Mills, into the field at Fort Cummings and other posts. By mid-summer companies of the Fourth and Ninth Cavalry and Fifteenth Infantry, numbering several hundred men, were living in tents outside the old walled fort.[46]

Hatch's troops located Victorio's camp at the head of the Palomas River in the Black Range, and, led by Chief of Scouts Captain Henry K. Parker, Cavalry troops and Indian scouts successfully surrounded the Apaches and attacked on May 24, 1880. Various estimates claimed from 10 to 55 hostiles killed, including women and children. The truth, similar to Parker's report of 30 dead, was probably in between the two figures. The survivors fled for the hills and Mexico in at least three separate groups.[47]

From the newspaper reports it appeared that not all of the Apaches joined the flight for the border. Perhaps to either distract the military or for just plain viciousness, some struck at civilians, especially the teamsters. Fighting at Cooke's Canyon reached its peak on June 5, 1880. According to Apache oral history, a small party led by Blanco attempted to break through the cordon along the road while Nana created a diversion toward the Floridas. Even though the canyon was not "full of Apaches" as the telegrapher at Fort Cummings communicated, for Samuel Lyons, a man named Vijil, and three others, it might as well have been. Although three Indians were killed, including Blanco and Victorio's son Washington, when the troopers penetrated farther into the canyon, the burned bodies of Lyons and the four others were found.[48]

Fort Cummings had been established on a slightly elevated area between two wide flat arroyos. By mid-1880 the military reservation looked like a field of mushrooms, because many tents had been erected to house the command assembled to help corral Victorio. With the large military encampment at Fort Cummings, A. S. Lyons and his wife Mary were relatively safe in taking over Sam Lyons' operation there. Lyons was also appointed postmaster on August 3, 1880.[49] In later days Victorio would try a couple more forays north of the border, but he did not seriously threaten the area around Fort Cummings.

However, a few miles in any direction, the story was different. Soldiers on patrol had several brushes with small bands of Apaches, and in early September, the mail coach was attacked near the old Goodsight station. The driver, Alee Lebeau, and passengers, Issac Roberts and Henry S. Madden, were killed and the mail destroyed. Four days later Indians pursued another coach near Goodsight, but the coach escaped harm when the driver encountered a railroad survey party with an escort. That evening the Apaches tried to stop a third coach from the National Mail and Transportation Company, and pursued it to within three miles of Fort Cummings.[50]

On September 7, 1880, Apaches surprised First Lieutenant James Parker and a detachment of the Fourth Cavalry near the Floridas. Parker's command suffered casualties of one killed and three wounded. He was forced to retreat to a more defensible position and send for help. Lieutenant Colonel Nathan Augustus Monroe Dudley and a company of Ninth Cavalry from Fort Selden dashed to their rescue, covering the 16 miles at an average of 10

miles per hour, an exceptionally grueling experience for the mounts. Later, Dudley severely criticized Parker for his actions in the fight and recommended a thorough investigation.[51]

In late September and early October, United States soldiers again pursued Victorio to the border. This time they chased him far below the border, but they would not be the ones to claim his scalp. Victorio retreated from the pursuing United States troops into the waiting arms of Captain Joaquin Terrazas, and at Tres Castillos, Victorio's band was surrounded and nearly annihilated. On October 15, 1880, the Mexicans rushed the Apaches, who had nearly exhausted their ammunition, and 78 Indians were killed, including Victorio, and nearly as many women and children were taken captive. Nana (Figure 49) escaped with a small contingent that had been lagging behind on the trek.[52]

Between the news of Victorio's defeat and death and the news that Fort Cummings was to be honored by a Presidential visit, Lieutenant Colonel Dudley took command of the fort.[53] President Rutherford Birchard Hayes and his wife were traveling east from California by rail, and they had to travel by stage between the eastward-progressing Southern Pacific Railway Company line and the Atchison, Topeka and Santa Fe Railroad advancing south along the Rio Grande.[54]

The Presidential party and escort did not spend much time at Fort Cummings. They arrived at seven on the evening of October 25 and departed at half- past seven the next morning. Since the command was housed in tents, Hayes and his wife probably roomed at Lyons' hostelry.[55] The President received no serenade by the Fifteenth Infantry, because three members of the band were in the guard house.[56]

Figure 49. Nana. Photo courtesy of the Museum of New Mexico, #16321.

Whatever his duties entailed with the Presidential party, Commanding General William Tecumseh Sherman visited some of the post facilities. At the hospital he found Michael R. Conlon, a prisoner charged with desertion. When Conlon's Company D of the Fifteenth Infantry had been transferred to Fort Cummings from Fort Wingate, he was on a spree in a nearby Mexican town and was left behind. Since he was an old-time soldier, working on his fourth enlistment, Sherman listened to his story and asked Dudley to investigate the matter. It was not surprising that Dudley recommended the charges against the man be dropped and then paroled Conlon without waiting for an answer.[57]

Dudley was willing to cooperate with the army's Commanding General, but at lower levels he complained strenuously. According to

Dudley the post had insufficient transportation; the horses and mules were all broken down, as were the wagons; there were no supplies, money, or clothing; the funds furnished did not meet one-quarter of the demands; and, above all, that the post was unhealthy and should be abandoned immediately.[58] Dudley further stipulated that if the troops had to remain at Fort Cummings, a great deal of construction, especially stables, had to be accomplished soon. He underscored this issue by pointing out that he did not have enough lumber to build a coffin to bury a soldier who had been killed on November 2.[59]

Dudley's complaints were not reserved solely for the military hierarchy. The adobe house, and ancillary structures, built by Jones on the Fort Cummings reservation, irritated Dudley as it had some of his predecessors. After taking over from his deceased relative, A. S. Lyons constructed new buildings, at least according to Dudley, and further provoked the post commander by running a herd of about 200 cattle on the reservation. Lyons was also operating two gambling tables before Dudley ordered him to desist.[60]

There must have been other nefarious individuals hanging around the post, because a recommendation was forwarded through military channels to enlarge the Fort Cummings military reservation to keep off improper characters, including horse-thieves and other desperadoes. Secretary of War Alexander Ramsey agreed and on November 9, 1880, President Hayes signed the order to increase the designated area by a factor of nine. The new perimeter was to be six miles on each side, still centered on the flagpole.[61]

As a precaution against surprise, and to give the many troopers still stationed in the field at Fort Cummings something to occupy their time, Dudley sent out frequent patrols. Despite persistent rumors that bands of Indians were seen in various parts of the region, his patrols continued to come up empty handed. In fact, they reported no Indian sign more recent than at least a month. Actually, he and his quartermaster department were probably more concerned about procuring 57 stoves, most of Henry Hopkins Sibley's design, so that he and the men could keep warm in the approaching winter.[62]

The remainder of the year was uneventful for the military command at Fort Cummings. Only rumors of Indians surfaced, and various detachments were sent to guard railroad construction crews progressing from the Rio Grande toward the fort and to patrol for Apaches.[63] Earl S. Hall recalled in later years that he had been on a 15-day expedition scouting for Indians and when the men returned to Fort Cummings, they found that they had lost an average of 15 pounds each, or a pound a day per man.[64]

It was during this interlude that a peculiar request prompted Dudley to seek advice from Washington regarding enlistment criteria. An unidentified White man had applied for enlistment in Company M of the Black Ninth Cavalry. Dudley wanted to know if, in light of the Fifteenth Amendment, this could be permitted. As a further argument he pointed out that Chinese solders had been enlisted and were serving in the district. He neither identified the units that the Oriental soldiers were in nor was there any indication of the outcome of the enlistment application.[65]

In late November and early December, an outbreak of theft and other skulduggery occurred near Fort Cummings. George Stevens, returning to Silver City from the Rio Grande, was held up five miles east of Mason's Ranch. Bandits took his rifle, ammunition, and money but left him his loaded revolver in case he ran into Indians. Horse thieves also hit Mason's and other nearby ranches. Dudley and the Silver City newspaper editor speculated that this was either the work of a gang of road agents or itinerant tramps waiting to help lay the track for the railroad rather than the work of Indians.[66]

Both railroads continued to build toward the vicinity of Cooke's Peak. On December 11, 1880, the Atchison, Topeka and Santa Fe crews constructing the road grade, preparatory to laying the track, reached a point five miles directly south of Fort Cummings.[67] This route had been recommended in May by railroad Chief Engineer A. A. Robinson. Previously, his survey crews had examined four routes to traverse the land between the town of Colorado, on the Rio Grande, and the Mimbres River. The crews had examined Florida Pass, south of Fort Cummings; Mule Springs Pass, probably the same pass that Bell's party named Palmer's Pass in 1867; Cooke's Canyon; and another gap Robinson referred to as Lyons' Pass. The road was being built through the ten mile wide flat of Florida Pass.[68]

Meanwhile, the Southern Pacific Railroad Company was making progress east from California. It had stalled temporarily at the Colorado River until a bridge could be completed and permission

secured to build across the Fort Yuma military reservation. On March 17, 1880, the line reached Tucson, its crews having constructed the longest straight stretch of track (47 miles) and longest continuous curve (5 miles) in railroad history. In its wake, railroad construction left new water wells and the embryo of a town every 60 or 70 miles, the distance a steam locomotive could traverse without having its water tank refilled.[69] The official date for the railroad arriving at present-day Deming of December 15, 1880, may not be entirely accurate. Lieutenant Colonel Dudley indicated that "regular trains commenced running on the Southern Pacific Railroad yesterday [December 12] connecting with the stage line at a point about twelve miles south of this camp."[70]

The new terminus of the Southern Pacific was called Domingo by the Silver City newspaper editor, but the name soon was changed to Deming. The new name honored Mary Ann Deming Crocker, wife of Charles Crocker. He and Leland Stanford, Mark Hopkins, and Collis P. Huntington comprised "the big four" of western railroading.[71]

As it progressed east, the railroad made a significant impact on existing businesses. The stage lines in California and Arizona curtailed their routes at the rail terminus, and, in most cases, finally went out of business altogether. The same was true for many of the freighting outfits. As these transportation entrepreneurs were threatened, so were the establishments that catered to their or their passengers' trade.[72]

For Lyons at Cooke's Spring, the railroad's progress was a double threat. First, it would soon be joined by the Atchison, Topeka and Santa Fe and in a few months the railroads would replace many of the stage lines that supported his operation. Second, the wells sunk at Deming to supply the steam locomotives with water had hit an abundant supply at only 50 feet. Now emigrants, cattle herds, and others no longer had to depend on the water at Cooke's Spring.[73]

Lyons fought back the best he could. He placed an advertisement in local papers reminding the public that he **still** continued to operate the trader's store at old Fort Cummings and had a large stock of groceries, liquors, and general merchandise at Silver City prices.[74] Had it not been for the continued military presence at Fort Cummings, however, Lyons would soon have been out of business. This is true also for others who furnished the command with hay, beef, wood, and other contract items.

On January 14, 1881, an Apache raiding party numbering between 40 and 50 struck near Fort Cummings killing several people and placing the post in a state of turmoil for several days. Two peddlers, Omero Jackson and another man, were on their way from the Rio Grande to Silver City with a wagon load of fish when the Indians intercepted them near the old Goodsight stage station. The Apaches killed both men and then waited nearly two hours to ambush the westbound stage at approximately the same spot. The Apaches shot driver James Sweeny from the box and then chased the stage for three-fourths of a mile, finally stopping it by killing one of the lead mules. Passenger Thomas White soon joined Sweeny and the others in death.[75] The eastbound stage driver who left Fort Cummings on the morning of January 14 found the carnage on the road and had returned to notify the soldiers.[76]

Dudley left immediately for the scene with a large cavalry force. The bodies of the stage driver and passenger were still warm when the Ninth Cavalry troopers arrived. Dudley dispatched two companies (C and F) led by First Lieutenant Ballard Smith Humphrey and Second Lieutenant Charles William Taylor to pursue the Apaches. To guard against a repeat of the attack, he stationed a detachment of 17 men in the nearby pass. He also authorized the loan of arms to the railroad construction camps in case the Indians attacked them.[77]

The Indians were not the only ones giving Dudley a problem, however. Concurrently he was having difficulties with the employees of the stage line. He wrote O. R. Smith, the National Mail and Transportation Company agent at Silver City, to send a responsible individual to Fort Cummings immediately. Three of the company's men had been issuing simultaneous orders that nearly caused a fight. In addition, some employees had been found drunk on the military reservation.[78]

Dudley and his superiors also continued to have trouble with the newspapers in the area. The editor of the Silver City newspaper raged against the unanswered depredations and vilified General Edward Hatch for lying to the public about the tenuous state of affairs.[79] The editor's umbrage against the recurring Indian outrages and Hatch's actions (or lack thereof) continued into the middle of the summer of 1881.[80]

The residents of the Mesilla Valley were harangued in bold headlines by the local newspaper in a particularly strident manner:

BLOOD
DEATH
DESTRUCTION
FREEMEN TO ARMS
AGAINST RED DEVILS
PROTECT YOUR LIVES
AND PROPERTY
ATTENTION
HATCH
POPE
SHERIDAN
SHERMAN
RAMSEY
SCURZ
THE SAVAGE HORROR
HORRIBLE BUTCHERIES
71 WEEKS CAMPAIGN
415 MASSACRED TO DATE[81]

It may have been intentional that the cryptic complaint resembled the shape of a tombstone.

In the next few days, the stage company experienced additional difficulties with the Indians and, coupled with the railroad's continued progress, the stage company decided to suspend operations. Guarding the stages had become a problem for Dudley because eight stages passed through Fort Cummings daily.[82] Some problems were alleviated on January 25 when the stages between Mesilla and Fort Cummings were discontinued. As a result, Dudley ordered the detachment at Goodsight Pass to destroy their breastworks and move to the railroad.[83]

Discontinuing some of the stages through Fort Cummings solved another of Dudley's problems. The hay furnished by contractor J. A. Miller was inferior, in Dudley's opinion, and not up to contract specifications. He entered a protest against paying Miller $1,568 for forage already delivered and suggested that the military consider using some of the estimated 75 tons that the National Mail and Transportation Company had on hand.[84]

Dudley was premature in removing the detachment guarding the road through the Goodsight Mountains. On January 28, a party of 16 Indians attacked Lieutenant John Ferral McBlain and his driver, Armstead, at the same point where the citizen relief party from Mesilla had been ambushed in October 1879. The attack came at sundown so McBlain and Armstead managed to escape after dark and walk back to Mason's Ranch.[85]

The stage from Colorado to Fort Cummings was still operating, but friction developed between the operators and the military. Dudley had received word that the stage company was refusing to feed either the soldiers or the horses used in escorting the stage. In a pique of irritation on January 27, he decided not to send any guards on the westbound stage. Fortunately, the order to remove the guards had not reached Colorado by the next morning, because the stage was attacked shortly after it left town. Two Ninth Cavalrymen riding on top got off and held the Indians at bay until the stage could turn and flee back to Colorado.[86]

With the demise of the route through Cooke's Canyon, the Lyons decided to pull out. A. S. Lyons, his wife Mary, and Samuel Lyons' widow, Lebrada, may have attempted to sell the facility, because on January 24, Dudley sent a sharp rebuke to the Lyons' attorney. Not only did he inform the lawyer that no civilian would dictate to him who would sell goods on the military reservation, he also gave notice that Lyons' cattle must be removed. Furthermore, he wanted all the Lyons' business removed within 30 days. As a result of the Lyons' intended departure, Samuel P. Carpenter was appointed postmaster as of February 7, 1881.[87]

Apache troubles declined and the Atchison, Topeka and Santa Fe Railroad continued its steady way past Fort Cummings and on to a junction with the Southern Pacific. By February 20, the railroad completed the rails and a side track to a point near Fort Cummings. The siding was named Fort Cummings Station.[88] The two rail lines were joined at Deming on March 8, 1881. To commemorate the occasion, a silver spike was driven by A. Longstreet, J. H. Bates, and J. F. Kilalea of the Southern Pacific and R. R. Coleman of the Atchison, Topeka and Santa Fe.[89] A southern transcontinental railroad was now a reality.

The first Atchison, Topeka and Santa Fe through-train left Kansas City, Missouri, on March 17 destined for California. Either the route was not intended to carry heavy freight or the agreement

with the Southern Pacific was not working, because within a week the company announced that no coast-bound freight would be accepted. Soon special emigrant trains would run though, with provisions for people, household goods, and stock.[90]

The railroad gave Dudley something new to grumble about. He complained that he had to keep a guard of three men and a noncommissioned officer at the siding because the railroad did not have an agent at Fort Cummings Station. He also fumed that the boxcars with stores for the fort were left standing on the siding, unlocked and unsealed. Furthermore, his officers hesitated to remove anything without a railroad representative present because civilian merchandise was frequently shipped in the same car.[91]

In March, Dudley prepared to make long-awaited use of two civilian facilities. On March 24, Dudley indicated that the Lyons had at last departed. He requested that the government consider letting him use the vacant rooms for officers' quarters and the stables for military horses. Two days later, he made preparations to ship the first military units from Fort Cummings by rail.[92]

This more efficient method of moving soldiers was none too soon, because about this time the Apache problem began to heat up again. Old Nana, perhaps 70 by now and suffering from arthritis, crossed into New Mexico in July. During the next six weeks, pursued by Lieutenant John Francis Guilfoyle with his Apache scouts and various elements of the Ninth Cavalry, Nana would travel 1,000 miles, fight several engagements, most of which he would win, and kill between 30 and 50 soldiers and citizens.[93]

By mid-August, Nana and his band penetrated the area around Lake Valley, a few miles north of Fort Cummings. Second Lieutenant George Washington Smith was at Lake Valley with 44 men of Ninth Cavalry Companies B and H when he received the news that Nana was nearby. Smith took 17 enlisted men and 20 citizens, led by mine superintendent George W. Daly, to follow Nana's trail. They entered Gavilan Canyon about mid-morning on August 19, 1881, and triggered a vicious ambush. Smith and Daly were both killed in the first volley. Another citizen and two soldiers were killed and several wounded before Sergeant Brent Woods and the survivors were joined by the rest of the troops from Lake Valley, led by a Sergeant Anderson. The soldiers and citizens managed to disengage, but Nana and his men slipped away with many of the troops' horses and most of their supplies and ammunition.

The following day General Hatch arrived to take control of the situation. Two days after Hatch arrived, Nana and his men slipped by Fort Cummings in the night and returned to Mexico.[94] The countryside once again settled into an uneasy quiet.

When Fourth Cavalry Lieutenant Colonel George A. Forsyth took command of the three cavalry and two infantry companies at Fort Cummings in November, the biggest problem he had to face was infectious diseases among his command. The troops had been denied hard liquor for several months as a result of President Hayes' February 2 edict prohibiting the sale of intoxicating liquors on military reservations. Beer, however, was permitted. As a result, several "hog ranches" sprang up around Fort Cummings to supply the liquor that had been denied the men and also to supply them with women and the opportunity for gambling. An inspection of the hospital turned up a number of soldiers suffering from various communicable diseases that had spread as a result of their visits to these "ranches."

Forsyth decided to take drastic action. He directed Carpenter to order three barrels of Kentucky whiskey for sale at the trader's store. At first Carpenter demurred; he had gotten in trouble before with post commanders over selling whiskey. Forsyth convinced Carpenter that he would shield the trader from any retribution from the army. Soon the whiskey was installed, selling for 15 cents a drink or 2 for 25 cents. During the first 10 days, Forsyth punished only two men for being drunk. In six weeks, one of the "ranches" disappeared; in three months two more followed; and within five months, the last one, located at the railroad station, was for sale with no takers.[95]

It did not take Carpenter long to overstep his bounds. On January 13, 1882, he was reprimanded for exceeding the agreement with Forsyth. He was selling liquor by the bottle rather than by the drink. He was ordered to cease this activity immediately and to prohibit the sale of liquor to any enlisted man who was in the slightest degree intoxicated. A further modification was sent to Carpenter in March, directing him to close the bar to enlisted men promptly at half-past eight.[96] Apparently officers could drink as late as they were inclined.

In addition to Indian and liquor problems, the

government was concerned over the water situation in the area. Sometime in the fall, the railroad and the federal government concluded a deal where, in return for use of up to half the water, the Atchison, Topeka and Santa Fe Railroad would clean the spring and construct a retaining vessel to collect the water and pipe it to the station for use. The other half of the water would remain available for public consumption and for use at Fort Cummings. Reliable estimates of the spring's capacity indicated a potential yield of 50,000 gallons a day.[97]

The working relationship between the military and the railroad soon went sour. By January 4, 1882, a railroad employee had modified the piping at the spring so that it required nearly two hours for enlisted men to fill the water wagon. Forsyth's officers were understandably upset, and he asked the railroad to install a valve so the soldiers could temporarily cut off the water to the railroad to fill their water wagon. When his request was ignored, he threatened to shut off the railroad's water line permanently.[98] The railroad quickly responded and shortly thereafter built the structure (Figure 50), that covers the spring today. It was about this time that the name of the railroad station was changed to Porter Station (later it was renamed Florida).

One officer stationed at Fort Cummings had more to worry about than how long it took for his water detail to fill the tank or water their horses. Acting Assistant Surgeon Lieutenant W. N. Slough had brought his wife to Fort Cummings from Santa Fe and was directed to state the reason for doing so without securing permission. Slough indicated that his salary was only $100 per month and that for them to live separately, he at Fort Cummings and she at Santa Fe, was really more than they could afford; therefore, he had her join him at the crude post.[99] If the Sloughs were fortunate, when the lieutenant's wife joined him, they would have been allowed to occupy one room in the building that formerly belonged to Lyons rather than living in a tent.

When the fort (Figure 51) was reactivated, the old facility was mostly in ruins. Six rooms were repaired to house commissary and quartermaster supplies, but even some of these items had to be stored outside and covered with canvas. One room was used as a guardhouse for prisoners. Lyons' building was used for married officers' quarters, and also offices for the post commander and his staff. The former sutler's corral was repaired and, with the addition of two stables, was used to quarter the cavalry horses.[100]

The last significant clash between Fort Cummings soldiers and Apaches occurred in April 1882. Various scouting parties had been trying to make contact with Loco and his band who had bolted the reservation. Colonel Forsyth with the Fourth Cavalry, and First Lieutenant David Newton McDonald, who was operating autonomously with a small detachment of Indian scouts, systematically combed the hills looking for the hostiles. Unfortunately for him, the Lieutenant found them on April 23, 1882. McDonald and his scouts were dangerously outnumbered, but Forsyth dashed 16 miles to their support and turned the tide. The Apaches retreated to Horseshoe Canyon, and a pitched battle ensued before the Apaches finally broke off the engagement.

Not counting the wounded (one soldier died the next day), the soldiers killed 13 Apaches and lost 3 troopers and 4 scouts. Pursued by Forsyth's Column, Loco and his band fled for Mexico and on April 27 ran headlong into Colonel Lorenzo Garcia leading 250 Mexican soldiers. Garcia lost 21 killed and 16 wounded. The Apaches were devastated with 20 wounded in addition to 78 killed (mostly women and children), and 33 of the women and children were taken captive. Forsyth and his soldiers arrived after the battle was over but were able to render much needed aid to both parties. He had his surgeon attend the wounded because Garcia's troops had no medical officer with them. Forsyth also gave out rations to the Mexicans since they were nearly out of food (as were the Apaches). When Forsyth was called on later to justify the transfer of rations, he indicated that if he had not, some of the Mexican soldiers and perhaps all of the Apache prisoners would have starved.[101]

Indians were not the only problem that people in southwestern New Mexico faced. The ranchers near Fort Cummings had been plagued for some time by rustlers who used Lake Valley as a headquarters. The rustlers were so bold they had their own slaughter houses and shipped some of the stolen and butchered beef by rail. On May 24, 1882, they attacked Mason's Ranch, locked up the family, and stripped the ranch of cattle and horses. The New Mexico Volunteer Militia, led by Colonel William Rynerson and aided by Captains Albert Jennings Fountain and Eugene Van Patten, helped round up

Figure 50. Spring House - circa 1882. Photo courtesy of the Arizona Historical Society, #24728.

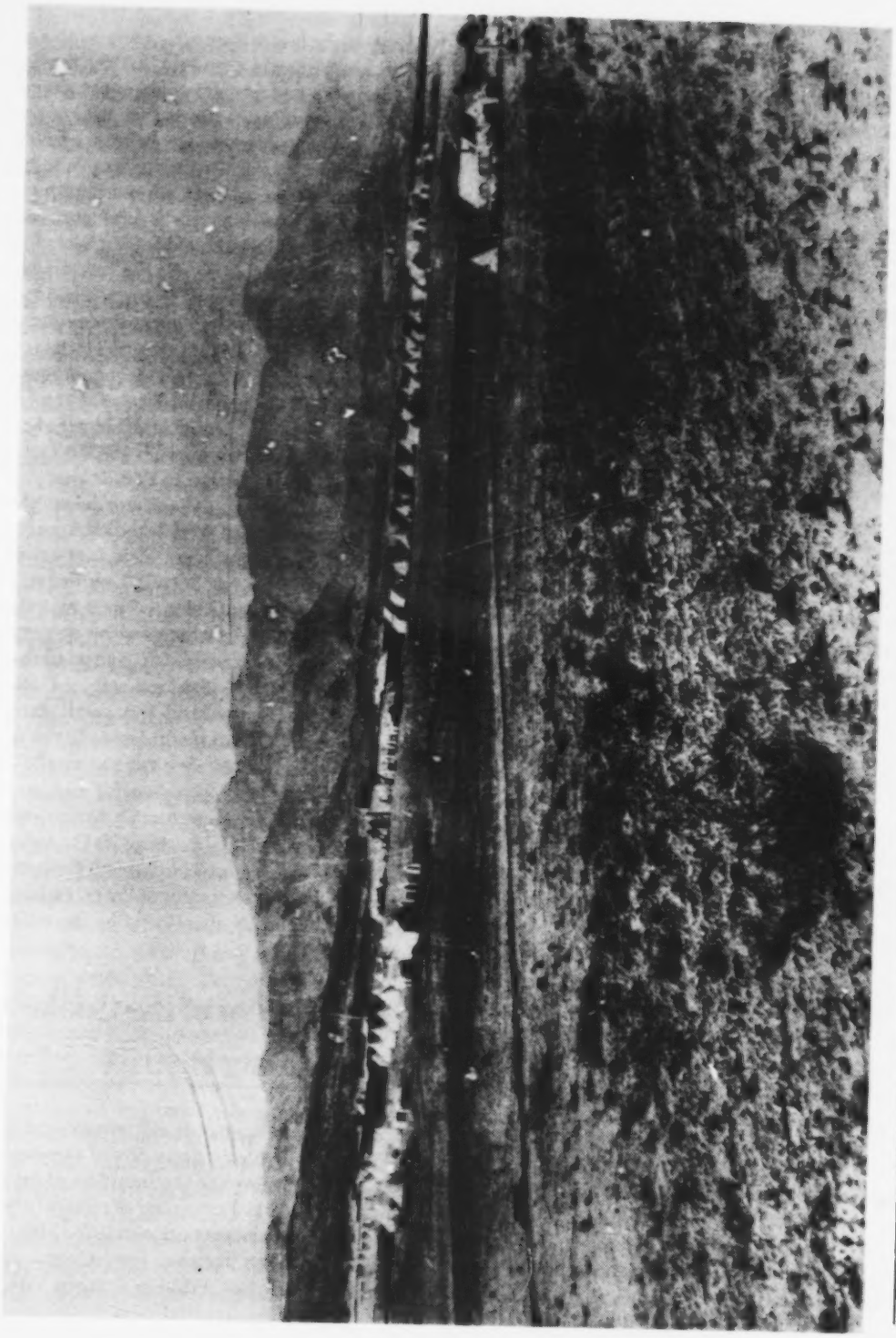


Figure 51. Fort Cummings - circa 1882. Photo courtesy of the Museum of New Mexico, #76124.

many of the gang and eventually put the rustlers out of business.[102] It took the militia over a year, however, to accomplish the task.

With the rustler situation being handled by citizens, in September Forsyth launched an ambitious building program at Fort Cummings to give the officers stationed there better winter protection. Under his supervision, adobe buildings were constructed with rock foundations, wood floors, sashed windows, and shingled roofs.[103]

Health of the troops was also an issue at this time, because in August typhoid struck the garrison. During September and October seven soldiers joined their comrades on Cemetery Ridge.[104]

The following spring, Forsyth continued his plans for the fort. He had 24 men making adobe bricks for use in construction. He also planned an extensive garden with approximately 20 varieties of plants. In addition, he wanted to raise gladiolas, hollyhocks, astors, and phlox to brighten up the post.[105]

With any luck, the garden survived some of the last trail herds to use Cooke's Spring in their drive west. John H. Slaughter, after serving in the Texas Rangers, had driven a herd of cattle to Arizona. He and his first wife, Adeline, settled on the San Pedro River near Tombstone where she died in 1878. In 1880, Slaughter married Cora Viola Howell, and in 1883 he purchased 40,000 acres of the old San Bernardino Mexican land grant, near the border southeast of Tucson, and prepared to stock it with cattle.[106]

Cora Slaughter accompanied her husband on their first cattle drive after buying the new ranch. They brought the herd through Texas, and, before reaching the Rio Grande, she overheard three of the hands discussing quitting when they reached that point. Informed of this plan, Slaughter beat the cowboys to the punch and fired them before they could quit. The Slaughters held the cattle at the river until John could hire 10 Mexicans to help the herd cross the deepening water. Cora crossed the river ahead of the last batch of cattle. The rising water was so deep that the men had to tie logs to the sides of the wagons and float them across. The Slaughters returned to Arizona via Cooke's Spring.[107]

Meanwhile the garrison at Fort Cummings continued to decline. In June 1884 the number of present and absent carried on the role dropped from 226 to 125. In July the garrison was again halved, leaving 59 on the role.[108]

Perhaps the sharply reduced manpower contributed to the loss of the post trading establishment. At three in the morning on July 18, 1884, the building was discovered on fire and could not be saved. Because of the garrison's efforts the only government property damaged was to the bakery, even though the hay stacks, workshops, and stores were nearby. Carpenter's house was not burned, and he would remain at Fort Cummings for several more years.[109]

On August 14, 1884, the old Indian Wars fort was ordered abandoned again. By the following month only a caretaker party of 13 men remained. In January of 1885, the detachment was reduced to a lieutenant and six enlisted men. The detachment was rotated each month so that the monotonous duty was shared and was not a burden for any one group. The detachment, led by Second Lieutenant E. F. Wilcox, that left on February 19, 1885, removed the flagpole and transported it to Fort Selden.[110]

During the remainder of February through May 17 a mixed detachment of six enlisted men, alternately under Sixth Cavalry officers First Lieutenant Edward Everett Dravo, and Second Lieutenants James Alfred Cole and George Henry Sands, managed the post. On May 18, 1885, the garrison was nearly at company strength again for one month when Lieutenant Dravo and 45 men, mostly of Company I Sixth Cavalry, augmented the small caretaker detachment.[111] Although the post returns for this month indicate that the men were using the facility as a base camp while scouting for Indians, one's suspicions are aroused because Dravo was intimately involved a year later in setting up the heliograph network to use against Geronimo. Regardless of why Dravo and his men were at Fort Cummings, the post was completely abandoned by the military by the end of May.

Development of the Cooke's Peak Mining District

Despite the thousands of miners, emigrants, freighters, stage-hands, and soldiers, who stopped at Cooke's Spring near the southern foot of the mountain, no record has been found of mineral discovery in the immediate vicinity prior to 1876. This is especially interesting because Fort Cummings was manned entirely by California Column Volunteers

for the first three years, and this group included many who either already had been, or were destined to be, significantly involved in mining.[112]

It remained until 1876 for the seed to be planted that would germinate into the Cooke's Peak Mining District and later flower into the most valuable lead producing area in New Mexico. Edward Orr has been credited by most historians as the person responsible for the first discovery of recoverable minerals on Cooke's Peak.[113] Other sources indicate that the initial discovery was a result of joint ventures by Orr and Lon Irington in 1877 when they located the silver-rich Blackhawk Mine, and in 1880 when they opened the Montezuma Mine.[114]

During the 1860s and 1870s, prior to establishing Grant County from the western portion of Dona Ana County, considerable prospecting was conducted in the southernmost extension of the Rocky Mountains.[115] These were extremely perilous times as prospectors and ranchers not only had to contend with a desolate region, they also had to lean on natural resources that were in short supply in an area nearly devoid of potable water. In addition, the Apaches were yet to be controlled and attacked groups as well as individual would-be miners. There were also outlaws roving the area who would not hesitate to rob stages and kill for gold, a little horseflesh, or even a few rounds of ammunition.[116]

Indeed, it was not always lone miners or prospectors who ran into more trouble than they could handle. Residents along the Lower Mimbres, including Ed Orr and Lon Irington, lost stock to raiding Apaches in early September 1876. They and Jessie Coomer, Dick Mawson, and Luciana Montoya decided to follow the trail of their stolen stock southward in the direction of the Florida Mountains. They continued past the Floridas to the southernmost peak of the Tres Hermanas where they struck a rancheria of about 30 Apaches. At the outbreak of violent confrontation, another 25 Indians rose from behind a nearby rock ledge, and the Anglos had to make a run for it.

The strategic retreat quickly became a rout and nearly turned into a disaster. The men fled north about 15 miles before they reached a defensible point of high ground. Orr's horse was so exhausted in the race that it fell dead when he dismounted to make a stand. After resting their surviving mounts, the party continued to the site of abandoned Fort Cummings, still trailed by a dozen warriors. Despite the presence of additional men at the hostelry near Cooke's Spring, the Apaches helped themselves to one of Samuel J. Lyons' cows before abandoning the pursuit.[117] This was not the only time Orr and Irington fled to Fort Cummings to save their hides from the Apaches.

It is obvious that Orr, who had a ranch about nine miles from Cooke's Peak, was successfully prospecting with Irington in Cooke's Range. The ore from their Blackhawk Mine was of high grade, assaying 32 ounces of silver (per ton) and running 60 percent lead. They had excavated only 15 feet from the surface, and the vein was 10 feet wide and increasing. The two were able to dig out five to six tons per day, so they had the potential of making considerable profit if either an efficient way could be found to convey the ore to a market or reduce it near the source. They reportedly considered erecting a smelter on Orr's ranch, but there is no evidence that this was accomplished.[118]

Orr and his partner were not the only ones brave enough to risk being caught by the Apaches who considered Standing Mountain (Cooke's Peak) an integral part of their homeland. Lyons divided his time between operating the caravansary at the site of Fort Cummings and prospecting in the nearby mountains. He found, and on occasion displayed, numerous specimens of gold and silver ores, but there is no indication that he ever made a significant strike prior to his violent death in May of 1880 at the hands of the Apaches.[119]

The miners were frequently harassed by the Apaches, who prevented any meaningful development of the mineral resources, and highwaymen who continued to ply their trade in nearby Cooke's Canyon. Apparently one of the Apaches' main camps was located at the mouth of the defile later named Hadley Draw, about half-way between abandoned Fort Cummings and the future site of Cooks (not Cooke's).[120] It is not surprising, therefore, that on at least one occasion Orr and a helper encountered seven Apaches who prevented them from reaching Orr's works. They judiciously returned to Orr's ranch.[121]

Apparently frustrated by their inability to capitalize on the Cooke's Peak mines, Orr and Irington joined several other prospectors from the Pinos Altos area to examine mineral possibilities in the Floridas. Other members of the party included James R. Adair, Frank C. Bell, Edward Fulton,

Jason J. Baxter, and William Coleman. On January 2, 1880, they were attacked by a vastly superior party of Apaches, that resulted in the death of Fulton and the loss of their mules and horses. Aided only by a few burros, they made a forced night march to Fort Cummings, covering over 30 miles in 16 hours even though four of the men were slightly wounded.[122]

The situation became so desperate that Peter Strey was credited with being the only person to remain at the Cooke's Peak camp from 1881 to 1882.[123] Whatever the true situation was near the top of the mountain, most sources credit A. P. Taylor and a man named Wheeler for locating the best producing mines in about 1880 when they staked out the Montezuma, Graphic, Desdemona, and Othello Mines. Other interesting mine names included the Busted Banker, Silver Cave, Old Commodore, and the Hope, Faith, and Constant. Charity was apparently foreign to the miner's vocabulary.[124]

Although the Southern Pacific Railroad had reached the site of present-day Deming, it was not until the Atchison, Topeka, and Santa Fe Railroad completed its line through present-day Florida Station to a junction with the Southern Pacific line at Deming that it became economically feasible to ship the heavy ore to El Paso for smelting. Now only a road up Hadley Draw to the mining camp was required to facilitate production.[125]

George L. Brooks arrived at Cooke's Peak Mining Camp in December 1881 to capitalize on the mining potential there. Exactly what his holdings were is not known, but most sources credit him with grading the wagon road up Hadley Draw in the summer of 1882. A substantial Apache threat still remained, so the work was carried out under the watchful eyes of soldiers detailed from Fort Cummings to protect the workers. Reportedly, Brooks hauled out the first load of ore over the narrow twisting road, and before long he had shipped 2,700 tons.[126] The honeycombed, iron-stained ore was 30 percent lead and carried 80 ounces of silver per ton.[127] In later years, concentrators nearly doubled the recoverable lead for each ton of raw material shipped.

The Apache threat to the miners at Cooks continued from time to time. On these occasions, the Fort Cummings commander sent a detail of soldiers up the mountain to escort residents to the fort. When the threat abated, the men and their families returned to their labors at the mines.[128] The threats must have been false alarms, otherwise the Apaches would probably have burned the miners' shacks.

With the establishment of a means to market the mining products, reasonable containment of the Apaches, and the resulting influx of manpower to remove the ore, the camp at last became a town. In fact, it became three towns. The cluster of mines and buildings that grew up on the peak's east slope became Cooks (Figure 52), and those on the west side became Jose.[129] Both were reached by Brooks' road, although in time another road accessed Jose from the west. The site of Hadley, near the old Graphic mine, was located part way up the hill to Cooks.[130] Before long, Albert Wallis built a massive rock structure in Hadley Draw at the foot of the road to Cooks. It contained several large rooms to accommodate equipment and his drivers who hauled freight to Hadley, Cooks, and Jose and brought ore down on the return trip. The wagons were of heavy-duty construction for hauling the lead ore and were pulled by teams of six horses or mules.[131]

At first, primary ores were not exploited because of their depth and the easy access to the oxidized ores, mostly lead carbonate, either on or near the surface. The ores ran very high in recoverable lead content, some as high as 60 or 70 percent after concentration, and included traces of silver. When tunneling was conducted later, the richest deposits frequently were found in vugs (pockets) or caves such as the Kieft cave in the Jackson Tunnel Mine. This particular crystal lined cavity was about 100 feet long and varied from 35 to 50 feet wide.[132]

Upton Elwood McDaniel was one of the earliest miners at Cooks and one of the longest residents in the small mining community. He first appeared on the scene in 1882, handling the mail at Fort Cummings. It was apparently not a tremendously profitable venture because he only received $147.40 per quarter, and that, despite efforts by various Fort Cummings commanders, was in serious arrears for portions of 1883 and 1884.[133] By mid-summer 1885, McDaniel had evidently left the employ of the United States mail contractor, because he was found by the census recorder at Samuel Carpenter's hostel near the spring, along with fellow prospectors W. Crooke and James Wheeler.[134]

By late spring 1890 the Cooke's Peak Mining District was one of the most productive lead producing regions in the Southwest. A proposal to subject Mexican lead ores to an import duty was making progress in Congress, and the demand for the

American product increased. As a result about 150 men labored at the mines. Their efforts produced average shipments of from two to three railroad cars per day.[135] The total value of the production for the year, in lead and silver, was $216,000. Then, in January 1891, a large body of carbonate ore was struck at the Surprise Mine at Cooks, and a railroad-car load was shipped every day.[136] Throughout the remainder of 1891 the mines yielded an average of 800 tons per month.[137]

With the growth of Cooks, two other diverse factors made an appearance. First, and on a positive note, a post office was established August 29, 1888, although neither the first acting postmaster, John Corbett, nor his successor (three months later) A. L. Whiteside, was commissioned. McDaniel, the first of five commissioned postmasters, was appointed January 10, 1889. According to information on an old map (Figure 53) and a photograph (Figure 54) in the Deming-Luna County Mimbres Museum, the post office was moved, probably shortly after November 1891. Its proximity to the Summit Mine may have had some influence in Charles Poe's succeeding McDaniel as postmaster on June 28, 1893.[138]

Poe was another early resident at Cooks, having filed on some claims in 1879 or 1880. He later established his family there and remained in the mining industry until September 1912. Poe and Ida Mae Birchfield (Figure 55) went ahead with their planned nuptials on September 24, 1896, even though her parents were unable to travel to Deming from their ranch because of Indian threats. Poe built a large frame house at Cooks, where their seven children were born.[139]

The second factor to appear, as a result of the establishment of Cooks as a viable community, was violence. Unfortunately, with the scarcity of primary evidence for the 1880s and 1890s, the seriousness of this attribute cannot be properly assessed. One uncorroborated source claimed that the first schoolteacher, Carl Simmons, was shot twice in the back one night as he entered the building used as his home and the Cooks schoolhouse.[140] Later records name only female schoolteachers.

Another unsubstantiated story concerned an altercation between Thomas Dennis and Joseph Eswell. Eswell advised Dennis that the lard he was applying to his boots would not render them waterproof, whereupon Dennis replied in a distinctively uncivil manner. This led to an increasingly heated exchange during which Eswell threatened to beat Dennis to death with a shovel. A third party broke up the argument, but as Eswell walked away, Dennis drew a gun and killed him.[141] Clearly, this was a case of terminal lead poisoning.

Figure 52. Partial view of Cooks. Photo courtesy of the Deming-Luna Mimbres Museum.

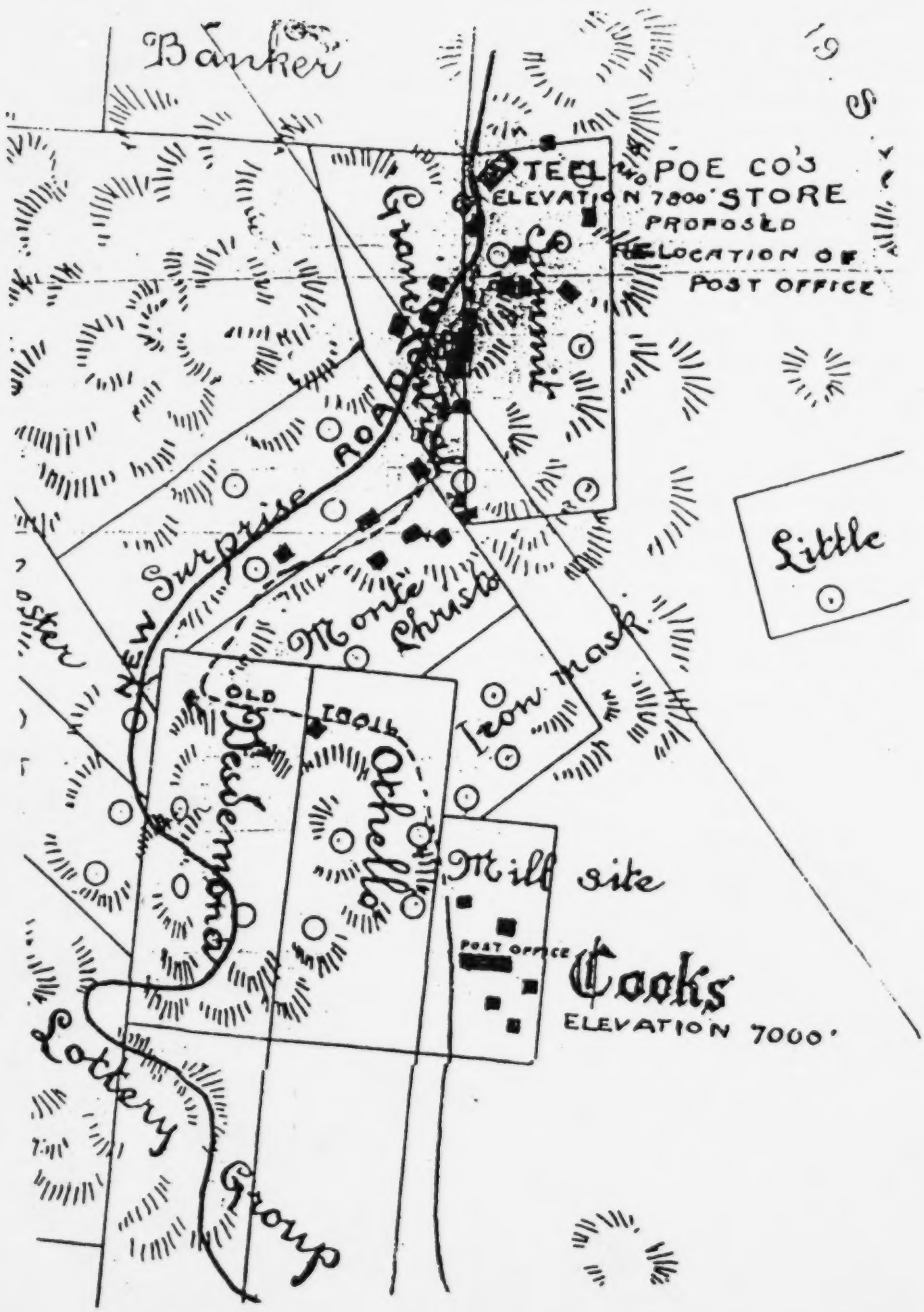


Figure 53. Partial map of Cooks - 1891. Map courtesy of the Deming-Luna Mimbres Museum.

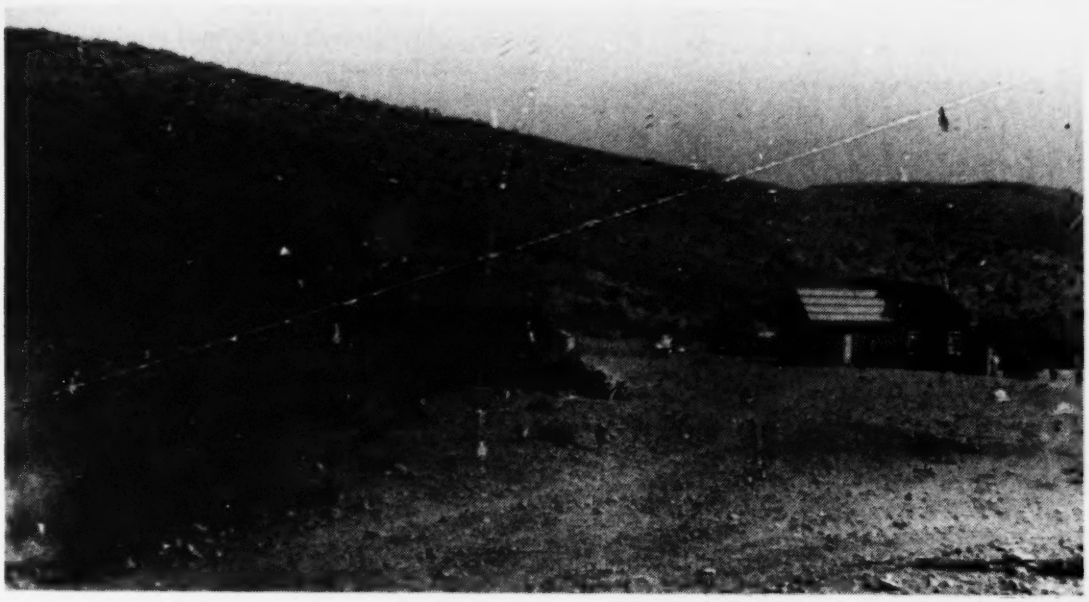


Figure 54. Cooks Post Office and business district. Photo courtesy of the Deming-Luna Mimbres Museum.

Cooks' reputation for violence (substantiated or not) may be more than the result of a rough western mining town, filled with males (Figures 56 and 57) with little or no opportunity for entertainment or relief from boredom.[142] The ores they handled were capable of causing some disturbing problems. Lead, especially in the form extracted from the ground at that time, is particularly insidious. The damage to humans can take place in either or both of two ways. The lead-laden dust can be swallowed. In this manner it does not enter the bloodstream quickly, but causes a colic that can be devastating. The dust can also enter the bloodstream more quickly through the lungs, causing lead poisoning.

The many psychological and physiological symptoms associated with less than a lethal dose include irritability and emotional instability. It is not unlikely that lead poisoning, to which all the miners were subjected to some degree, was responsible for at least intensifying the intersocial conflicts prevalent in the camp.[143] Indeed, the 10-year half-life for normal body rejection of accumulated lead may have had a far reaching influence on the physical and mental health of many of the Cooks miners long after they left the camp. In fact, it could explain some of the problems historians face in dealing with James A. McKenna's book *Black Range Tales*.

By his own admission, McKenna was "leaded" while at Cooks.[144] It is not unlikely that lead poisoning would adversely affect a person's memory. This, and McKenna's use of second- and third-hand information, might account for the fact that some of his "tales" fail substantiation in the light of contemporaneous sources. For example, McKenna claimed to have been the postmaster at Cooks and complained bitterly that he could not leave for new prospects until the government closed the facility. The postal records simply do not support his contention.[145] This is unfortunate, because he included three stories of intriguing violence, adultery, and skulduggery at Cooks that would have made delightful repeating, if one could only corroborate the veracity of the source.

Whatever the other problems associated with Cooks, failure of the mines was not one of them, at least not yet. In 1888 Charles Poe reported that at the Summit Mine, close to the Montezuma, he and his partner Hugh Teel were doing assessment work and had uncovered the most extensive body of ore yet found in the district. It was 80 feet long, 20 feet wide, and increasingly wide with depth. Due to old surface disturbances, Poe thought it may have been

Figure 55. Poe Family. Photo courtesy of the Deming-Luna Mimbres Museum.

Figure 56. Cooks miners #1. Photo courtesy of the Deming-Luna Mimbres Museum.

Figure 57. Cooks miners #2. Photo courtesy of the Deming-Luna Mimbres Museum.

worked by Indians or Mexicans.[146] Perhaps the disturbance was the result of Orr's and Irington's previous labor, because the measurements were similar. Poe believed that their ore would average about $8 per ton in silver and contain about 40 to 50 percent lead. McDaniel was working the Surprise Mine and opened up "an immense body of fine ore of the same character . . . ."[147]

A New Communication System and an End to Fort Cummings

After the last detachment of caretaker-soldiers left for Fort Selden in 1885, only a few citizens remained at Cooke's Spring. Carpenter apparently had partnered with a man named Stanley, and they continued to use the rangeland on and around the military reservation for their cattle. The still standing walls of the first period fort made an excellent cattle corral. It was claimed that the cattle company leased the site, but in view of previous performance, this was unlikely and has not been substantiated.[148]

After only a year, however, the fort was again the scene of military operations, if only for a brief period. In the spring of 1886, General George Crook was attempting to negotiate yet another surrender with Geronimo (Figure 58) and the last of the free Apaches. When General Crook was negotiating with the Apaches he had told them:

> *I want to have all that you say here to be [put] down on paper, because what goes down on paper never lies. A man's memory may fail him, but what a paper holds will be fresh and true long after we are all dead and forgotten.*[149]

No doubt Crook believed what he espoused, but under the circumstances that followed, perhaps an old Apache's query was more appropriate when he asked "What good is the president's writing if his word is not good?"[150] General Nelson Appleton Miles replaced Crook in April 1886 after Crook asked to be relieved when the government would not make good on his promises to Geronimo.

Miles decided that the keys to securing Geronimo's surrender were tough negotiation and containment. To accomplish the containment portion of his plans,

Figure 58. Geronimo. Photo courtesy of the Museum of New Mexico, #2115.

Miles decided to install a network of 27 heliograph stations (Figure 59) across southern Arizona and New Mexico. Miles was no stranger to the potential of a solar powered communication system. He had borrowed six instruments in 1878, when he was commanding the District of the Yellowstone, to establish a line connecting Forts Keogh and Custer in Montana.

To implement the network covering the 200 by 300 mile area, Miles needed equipment and trained operators. Miles requested support from Brigadier General William Babcock Hazen, head of the Signal Corps, and received 34 heliographs, 30 binoculars, and 10 telescopes, but only 11 trained operators. Fortunately he was able to augment these specialists with competent men from his own command.

Miles established two divisions for the network, Arizona and New Mexico. He placed Second Lieutenant Alvarado Meason Fuller in charge of Arizona's 13 stations, and First Lieutenant Edward Everett Dravo in command of the 14 stations in New Mexico. Their first duties were to scout the military installations, present and past, to determine high points from which movement could be observed and communicated to other stations in the network.[151]

Each station, depending on the natural security of the location and number of connecting links, was manned by two or three operators with one to five guards. The size of the small detachments were considered safe because the men would be in locations relatively difficult to approach and they were to maintain water and rations sufficient to last 30 days in event of difficulties. The station established at Cooke's Peak was able to communicate with similar installations at Camp Henely, Deming, Lake Valley, and Hillsboro, and though Miles did not indicate it in his reports, another station was established at Dripping Springs, in the San Andres Mountains.[152] This oversight may have been due to the fact that the other stations were in operation by June; Dripping Springs was not established until November 19, 1886, long after Geronimo's negotiated surrender in a canyon on John Slaughter's ranch.

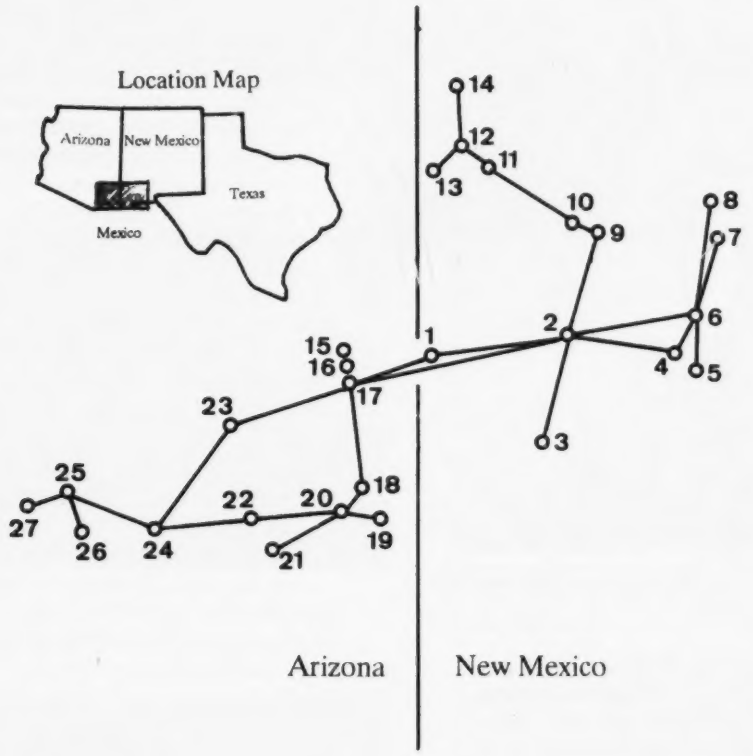
The signal group at Cooke's Peak was supported by a strong backup force camped at abandoned Fort Cummings. From July through at least September, detachments from two cavalry companies maintained a garrison of approximately 100 men.[153]

By May 1886 many of the installations were operable, and by June the network was essentially complete. To test the effectiveness of the system, a message was sent from one end of the line to the other, and then repeated back to the origin, a total distance of 800 miles. The 25-word message came through ungarbled in 4 hours. This was the first of 2,264 messages that would be sent prior to Geronimo's capitulation and the subsequent dis-

mantlement of the communication system.[154]

Despite Miles' expectations, only one documented case was located where heliograph crews were responsible for setting up a strike against the hostile Indians. On June 5, 1886, the station at Antelope Springs, Arizona, relayed information to Fort Huachuca, in southern Arizona, and the dispatch was forwarded to Captain Henry Ware Lawton at Calabasas. He sent several detachments of Fourth Cavalry troopers out in pursuit of the Apaches, and Second Lieutenant Robert Douglas Walsh and his men surprised the raiders and captured their horses and equipment.

However, the effectiveness of the heliograph system was not measured in its direct application to spotting and intercepting the Apaches. The stations provided a barrier through which the Indians could not safely pass in daylight, and they preferred not to travel at night. Further, the use of the monitoring stations relieved the military from having men tied



1. Stein's Peak
2. Camp Henely
3. Hachita Mining Camp
4. Deming
5. Lockhart's Well
6. Fort Cummings
7. Lake Valley
8. Hillsboro
9. Fort Bayard
10. Pinos Altos
11. White House
12. Siggen's Ranch
13. Lyda Springs
14. Alma
15. Bowie Station
16. Fort Bowie
17. Bowie Peak
18. White's Ranch
19. Camp Rucker
20. Swisshelm Mountains
21. Bisbee
22. Antelope Springs
23. Cochise Stronghold
24. Fort Huachuca
25. Baldy Peak
26. Crittenden
27. Tubac

Figure 59. Heliograph stations - 1886.

up in unproductive and exhausting scouting missions.[155]

General Miles kept the heliograph stations in operation after the surrender of Geronimo and the Apaches' exile to eastern prisons September 8, 1886. Signal Corps records indicate operations until at least November. Post records from Fort Cummings indicate that the last caretaker detachment left there on October 3, 1886.[156] However, James H. Green later testified that he, as a private, and a detachment of Thirteenth Infantry remained several months beyond this time and continued to operate the heliograph.[157]

Green recalled his tour of Fort Cummings quite clearly. He noted that the Carpenters were still there and that when Sam Carpenter made one of his frequent trips to Denver, Mrs. Carpenter would ask a soldier to use one of her horses to bring the mail up from Florida Station.[158] The Carpenters also sold the soldiers some tough beef for six cents a pound.

Green noted that at the end of the summer of 1887, his commanding officer, Colonel Eugene Asa Carr, sent Green to Hachita to take charge of heliographing between that station and Fort Bayard. Green climbed the mountain (possibly Black Mountain) every morning to signal a Private Finnegan at the other end. He did not last long at this location, however. When it became known that Green was also trapping skunks, he was sent back to Fort Cummings. It can be assumed that the Signal Corps maintained the heliograph line after Miles no longer needed it. Moreover, the final withdrawal of troops from Fort Cummings occurred about the same time that the post office temporarily terminated its facilities at the post in July 1887.[159]

In 1890 the Army decided to reestablish the heliograph network for a series of tests. New sites were added to the original network (Figure 60), especially beyond Fort Cummings at the eastern end of line, and 51 stations participated in the test. Although some of the stations were operational by May, the Fort Cummings station was set up on December 20, 1890.[160] The order to reestablish the line may have influenced the reopening of the Fort Cummings post office in June 1890.[161]

The heliograph tests conducted in 1890 involved 33 Signal Corps officers, 129 enlisted men, and an undetermined number of support troops. The network of 51 stations spanned 2,000 air miles. During the tests, 3,785 messages, amounting to 92,406 words, were transmitted. One message of 150 words was flashed from nearly one end of the line to the other, from Fort Stanton to Fort Whipple, with the omission of but a single word, and with few errors.[162]

On October 6, 1891, Secretary of War Redfield Proctor recommended that Fort Cummings be closed because troops had been "totally withdrawn" and the army no longer required the use of the installation.[163] He suggested that the military reservation be turned over to the Department of the Interior, according to the Congressional Act of July 5, 1884, governing the situation. The following day President Benjamin Harrison concurred.[164]

According to some sources, the 74 bodies on Fort Cummings' Cemetery Ridge, 25 listed as unidentified, were exhumed and shipped to Fort Leavenworth, Kansas, for reburial in the National Cemetery.[165] The Fort Leavenworth National Cemetery Director, Velva L. Melton, communicated that her records do not substantiate this statement. Her records indicate that no soldiers from either Fort Bayard or Fort Cummings were reinterred at Fort Leavenworth.[166]

The whistle of the steam engines, slowly progressing across the arid Southwest, signaled the beginning of the end of the Southern Overland Route to California. The steel road paralleled the old ruts for many miles, but the new, more efficient method of transportation tolled the death knell for this road of many names. Travel through Cooke's Canyon shifted to the new road and railroad and, for future generations, this famous route that had been traveled by thousands of westward seeking people would stand abandoned, neglected, and forgotten. The remaining military posts and fortifications erected along its winding path also would be terminally evacuated and fall slowly to ruins as the once proud facilities melted back into the ground from which they had been formed.

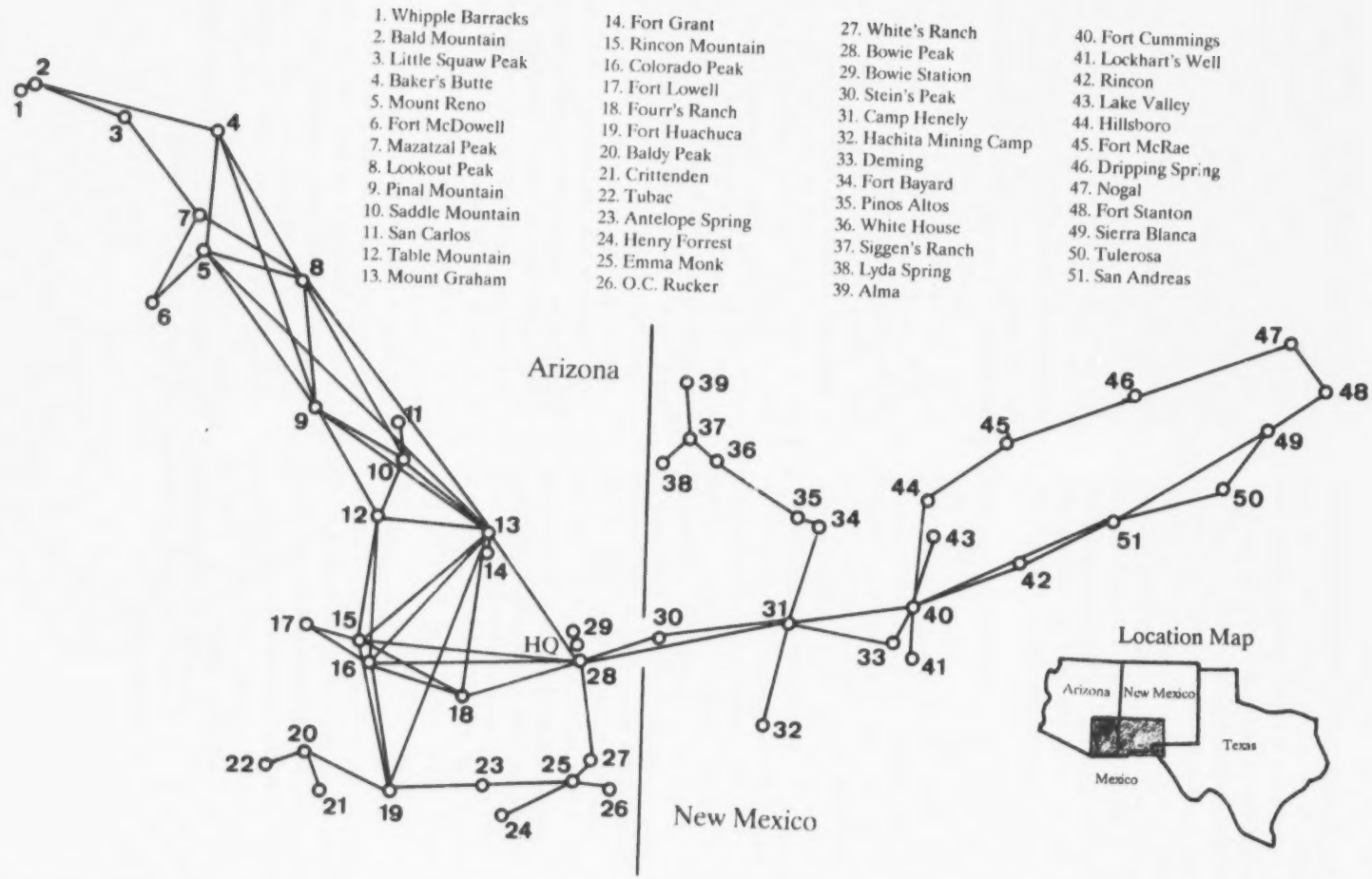


Figure 60. Heliograph stations - 1890.

Endnotes - Chapter 7

1. Harwood P. Hinton, Jr., "John Simpson Chisum, 1877-1884" *New Mexico Historical Review*, Vol. 31 (July, 1956), p. 190 (hereafter cited as Hinton, "J. S. Chisum"). William Aloysius Keleher, *The Fabulous Frontier, Twelve New Mexico Items* (Albuquerque: University of New Mexico Press, 1982), p. 60. Chisum's name should not be confused with the Chisholm Trail, the route of the long drive from Fort Worth and Waco, Texas, to Abilene, Kansas, named for another famous cattleman.

2. Hinton, "J. S. Chisum," p. 61. *Grant County Herald*, September 1, 1877, p. 3:1.

3. *Ibid.*, July 14, 1877, p. 3:1. Several authors misinterpreted John Swisshelm's name to have been a misspelling of John Chisum.

4. *Mesilla Valley Independent*, July 21, 1877, p. 1:1.

5. *Ibid.*, March 16, p. 3:3, April 13, 1878, p. 3:3.

6. Eve Ball, *Ma'am Jones of the Pecos* (Tucson: The University of Arizona Press, 1969), pp. 92-97. John Jones and Billy The Kid were allegedly friends, though they ended up on opposite sides in the Lincoln County War. Jones was murdered by Bob Ollinger whom Billy killed during his famous jail-break at Lincoln.

7. *Grant County Herald*, April 4, 1875, p. 3:1., p. 3:2.

8. *Ibid.*, September 29, 1877, p. 3:3, copying the *Mesilla Valley Independent*, no date.

9. *Grant County Herald*, March 6, 1875, pp. 1:2, 2:5-6, 3:7. The first issue of this Silver City newspaper carried advertisements by S. J. Lyons at Fort Cummings, A. S. Lyons at Hot Springs, J. D. Slocum for his ranch, and the Kerns and Mitchell stage line for a new seven-day trip to San Diego from Silver City for $100. A. S. Lyons was a relative of S. J. Lyons and replaced him at Cooke's Spring after the latter's murder.

10. *Ibid.*, February 20, 1876, p. 4:3; Hinton, "J. S. Chisum," p. 61.

11. Rio Grande Historical Collections, Manuscript Number 80 (Las Cruces: New Mexico State University), p. 27. According to Darlis A. Miller, *The California Column in New Mexico*, (Albuquerque: University of New Mexico Press, 1980), p. 121 (hereafter cited as Miller, *California Column*), the Corn Exchange Hotel was in Joseph F. Bennett's old house and was owned by John and Augustina Davis. Sam was not having much success at this time; the post office had dropped his facility at Fort Cummings on December 28, 1875.

12. *Grant County Herald*, May 10, 1877, p. 3:3.

13. *Ibid.*, June 30, p. 3:4, July 7, 1877, p. 3:2.

14. *Ibid.*, October 6, 1877, p. 3:2.

15. Phillip J. Rasch, "The Bonny Brothers," *Frontier Times*, Vol. 39 (Dec.- Jan., 1964), p. 61, copying the *Mesilla Valley Independent* of October 13, 1877.

16. *Grant County Herald*, May 25, 1878, p. 2:1. According to the *Mesilla News*, July 27, 1878, p. 4:2-3 and the *Grant County Herald*, October 19, 1878, p. 2. J. B. Price, from Missouri, was the president of the company, and C. E. Goldsmith was the Silver City agent.

17. *Grant County Herald*, June 22, p. 3:3, June 29, 1878, p. 3:3, and from information in November 14, 1878, p. 3:2.

18. *Grant County Herald*, January 13, 1877, p. 1:4. From the May 25, 1878, issue, p. 3:1, the telegraph office was for a time temporarily discontinued.

19. Odie B. Faulk, *Destiny Road* (New York: Oxford University Press, 1973), pp. 170-171 (hereafter cited as Faulk, *Destiny*); *Grant County Herald*, March 31, 1877, p. 2:2.

20. *Ibid.*, September 9, 1876, p. 3:1.

21. Dan L. Thrapp, *Victorio and the Mimbres Apaches* (Norman: University of Oklahoma Press, 1974), p. 183 (hereafter cited as Thrapp, *Victorio*).

22. *Grant County Herald*, September 9, 1876, p. 3:1.

23. *Ibid.*, October 21, 1876, p. 3:3.

24. *Ibid.*, November 5, 1876, p. 2:1.

25. *Ibid.*, November 11, 1876, p. 1:7.

26. *Ibid.*, February 3, 1877, p. 2:2.

27. William H. Leckie, *The Buffalo Soldiers, a Narrative of the Negro Cavalry in the West* (Norman: University of Oklahoma Press, 1967) pp. 178-179 (hereafter cited as Leckie, *Buffalo Soldiers*). According to the *Grant County Herald*, March 10, 1877, p. 2:2, golden bullets were picked up later at the site of Lieutenant Wright's engagement with the Apaches.

28. *Grant County Herald*, March 10, 1877, p. 3:3.

29. *Ibid.*

30. Harold Miller, "Nana's Raid of 1881,"

Password, Vol. 19 (Summer, 1974), p. 53 (hereafter cited as Miller, "Nana's Raid"); Robert Marshall Utley, *Frontier Regulars: The United States Army and the Indian, 1866-1891* (New York: The Macmillan Company, 1973), p, 359 (hereafter cited as Utley, *Frontier Regulars*).

31. *Grant County Herald*, September 29, 1877, p. 3:3, copying the *Mesilla Valley Independent*, (no date).

32. Miller, *California Column*, p. 156.

33. Bertha Pauline Dutton, *Indians of the American Southwest* (Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1975), p. 122.

34. Marion C. Grinstead, *Life and Death of a Frontier Fort: Fort Craig, New Mexico, 1854-1885* (Socorro, New Mexico: Socorro County Historical Society, Inc., 1973), p. 30; Timothy Cohrs, *Fort Selden, New Mexico* (Santa Fe: State Monuments Division, Museum of New Mexico, 1974), p. 16.

35. *Grant County Herald*, January 11, 1879, p. 3:3.

36. Miller, "Nana's Raid," p. 53.

37. *Grant County Herald*, February 3, 1877, p. 2:2, November 29, 1879, p. 3:2, June 19, 1880, p. 1:5.

38. Thrapp, *Victorio*, pp. 218, 301.

39. Joseph Allen Stout, Jr., *Apache Lightning* (New York: Oxford University Press, 1974), pp. 89-90 (hereafter cited as Stout, *Lightning*); Thrapp, *Victorio*, p. 219, 236-237 claimed the Apaches took 68 horses and mules; Robert Marshall Utley and Wilcomb E. Washburn, *The Indian Wars* (New York: Bonanza Books, 1982), p. 312.

40. Dan L. Thrapp, *The Conquest of Apacheria* (Norman: University of Oklahoma Press, 1975), pp. 183-184 (hereafter cited as Thrapp, *Conquest*).

41. Keith Humphries, "Trail of the Pioneers," *New Mexico*, Vol. 17 (Apr., 1939), pp. 34-35, claimed the wagon train was owned by a Mexican named Ochoa and that 14 wagons were destroyed and the men all buried in a common grave.

42. Faulk, *Destiny*, p. 356; Miller, *California Column*, p. 157. Katherine D. Stoes, "The History of the Corralitos: From Bloody Tragedy to Progressive Industry," *The New Mexico Stockman*, Vol. 20 (Mar., 1955), p. 52, indicated that Rynerson was also in the first party of 17 from Mesilla and that W. T. Jones' body and another were returned to Mesilla for burial.

43. Thrapp, *Victorio*, pp. 247, 253-255.

44. *Grant County Herald*, November 29, 1879, p. 3:2. Stout, *Lightning*, p. 88, indicated that Major Morrow stationed a company of Cavalry at Fort Cummings in May or June with instructions to scout the countryside. No support was found for this assertion, nevertheless, it would have been a logical tactic under the circumstances.

45. *Grant County Herald*, November 22, December 20, 1879. At about the time of the second robbery, James A. Tevis must have been passing through on his way back to Arizona. For a while he settled in the old stage station at Apache Pass and later established Teviston, present-day Bowie.

46. Stout, *Lightning*, p. 119.

47. Thrapp, *Victorio*, pp. 277-282.

48. Eve Ball, *In the Days of Victorio, Recollections of a Warm Springs Apache* (Tucson: University of Arizona Press, 1970), pp. 108-110; *Grant County Herald*, June 5, 1880, p. 1:4.

49. Thomas K. Todsen, Letter to the Author (October 1, 1984) (hereafter cited as Todsen, Letter to the Author); Census, 1880; Lyons was 67 and Mary was 60. Sam Lyons' widow was Lebrada Lyons.

50. *Grant County Herald*, September 11, 1880. Stout, *Lightning*, p. 159, indicated that Madden was the son of Captain Daniel Madden, stationed at Fort Bowie.

51. Joseph P. Peters, *Indian Battles and Skirmishes on the American Frontier, 1790-1898* (New York: Argonaut Press Ltd., 1966), p. 51; Dudley to AAAG, November 11, 1880, *Letters Sent, Fort Cummings, Post Records, Record Group 393, National Archives* (Microfilm copy at Rio Grande Historical Collection, Roll 1), (hereafter cited as *Letters Sent*, Roll 1). Small wonder that Dudley later complained about the broken down condition of the Cavalry's horses.

52. *Grant County Herald*, October 23, 1880, n.p.; Thrapp, *Victorio*, pp. 302-303. Terrazas was promoted for his feat. However, the event would cost his government dearly, immediately in scalp money and later in lives.

53. Dudley was nearly driven from the army for his partisan activities during the Lincoln County War. For more information see Leckie, *Buffalo Soldiers*, pp. 183, 204.

54. Chris Emmett, *Fort Union and the Winning of the Southwest* (Norman: University of Oklahoma Press, 1965), p. 390.

55. Dudley to Wilcox, October 28, 1880, *Letters Sent*, Roll 1.

56. Dudley to Buell, October 28, 1880, *ibid.*

57. Dudley to AAG, October 29, 1880, *ibid.*

58. See for example, Dudley to AAAG, October 28, 1880, *ibid.*

59. Dudley to AAAG, November 2, 1880, ibid. While it is unlikely that Dudley would lie about a matter so serious, George Allen Caldwell, *The Last Retreat: The Story of Fort Cummings* (Deming, New Mexico: Privately Printed, 1975), pp. 86-87 (hereafter cited as Caldwell, *Last Retreat*) fails to list any interments in this time period. This is not conclusive evidence, however, as he has failed to indicate other confirmed burials. John Philip Wilson (ab.), *Fort Cummings, New Mexico - Abstract of Monthly Post Returns October 1869 - September 1886* (Santa Fe: Museum of New Mexico, 1970), pp. 49-51 (hereafter cited as Wilson, *Post Returns*), also stipulates no deaths occurred in October, November, or December.

60. Dudley to AAAG, October 30, 1880, *Letters Sent*, Roll 1. The cattle may have belonged to the contractor furnishing beef for the post, which at this time was probably S. P. Carpenter.

61. Alex Ramsey, Recommendation to the President, November 8, 1880, Las Cruces BLM, Fort Cummings File; Rutherford Birchard Hayes, Executive Order, November 9, 1880, Las Cruces BLM, Fort Cummings File. If the surveyor complied to the strict directive of the order, the new center of the reservation was the new flagpole approximately 100 yards west of the original.

62. Dudley to AAAG, November 1, Dudley to Hunt, November 4, 1880, *Letters Sent*, Roll 1.

63. Dudley to Newman, November 4, Dudley to AAAG, November 10, 1880, *ibid.*

64. *Winners of the West*, March 23, 1924.

65. Dudley to AG, November 13, 1880, *Letters Sent*, Roll 1.

66. Dudley to Smith, Dudley to AAAG, November 17, 1880, *ibid.*; *Grant County Herald*, December 4, 1880. The editor named Stiles, Leonard, and King as suspected members of the gang.

67. *Grant County Herald*, December 11, 1880, p. 3.

68. A. A. Robinson to William B. Strong, May 26, 1880, Manuscript RR 307:3 (Topeka: Kansas State Historical Society Archives). It should be noted that the railroad surveys were probably conducted at about the time of Victorio's rampage.

69. Ray Allen Billington and Martin Ridge, *Westward Expansion: A History of the American Frontier* (New York: Macmillan Publishing Co., Inc., 1982), p. 584; Faulk, *Destiny*, p. 181.

70. Dudley to AAAG, December 13, 1880, p. 3:1; *Letters Sent*, Roll 1.

71. *Grant County Herald*, December 18, 1880, p. 3:1; Jean LaPorta (ed.), *History of Luna County* (Deming: Luna County Historical Society, Inc., 1978), p. 104 (hereafter cited as LaPorta, *Luna County*), p. 12.

72. Bernice Cosulich, *Tucson* (Tucson: Arizona Silhouettes, 1953), p. 158.

73. Virginia Measday and George Pete Measday (eds.), *History of Luna County, New Mexico - Supplement 1* (Deming: The Luna County Historical Society, Inc., 1982), p. 8. Indeed, not only was there abundant water available at Deming, but it was of excellent quality. The water is still shipped for drinking purposes to many communities not so fortunate.

74. *Mesilla News*, December 18, 1880, p. 3:7. It was not determined if the Silver City prices were high or low, however.

75. Dudley to AAAG, January 15, 1881, Dudley to record, January 15, 1881, *Letters Sent*, Roll 1. There was no record of these interments in Caldwell, *Last Retreat*.

76. Dudley to AAAG, January 14, 1881, *Letters Sent*, Roll 1.

77. Dudley to AAAG, January 15, 1881, *ibid.*

78. Dudley to Smith, January 16, 1881, *ibid.*

79. *Grant County Herald*, June 5, 1880, pp. 1:2, 3, 4, 2:2.

80. *Ibid.*, January 29, 1881, p. 2:1, August 27, 1881, p. 3:4.

81. *Mesilla News*, January 20, 1881, p. 2:2.

82. Dudley to AAAG, January 19, 1881, *Letters Sent*, Roll 1. The identity of and facilities for supporting all these coaches remains unclear.

83. Dudley to Hatch, January 25, Dudley to AAAG, January 27, 1881, *ibid.* Surprisingly, after the advent of the railroad, according to L. L. Waters, *Steel Trails to Santa Fe* (Lawrence: University of Kansas Press, 1950), p. 204 (hereafter cited as Waters, *Steel Trails*), there were still 38 stage lines serving New Mexico in 1882.

84. Dudley to Lee, January 25, 26, 1881, *Letters Sent*, Roll 1.

85. Dudley to Hatch, January 28, 1881, *ibid.*

86. Dudley to Hatch, January 28 (two entries), Dudley to AAAG, January 27, 1881, *ibid.*

87. Dudley to Mullen, January 24, 1881, *ibid.*; Todsen, Letter to the Author.

88. Dudley to AAAG, February 20, 1881, *Letters Sent*, Roll 1.

89. Waters, *Steel Trails*, p. 60.

90. Keith L. Bryant, Jr., *History of the Atchison, Topeka and Santa Fe Railway* (New York: Macmillan Publishing Co., Inc., 1974), p. 80; Jerry L. Williams (ed.), *New Mexico in Maps* (Albuquerque: University of New Mexico, 1986), p. 119.

91. Dudley to Lee, March 24, 1881, *Letters Sent*, Roll 1.

92. Dudley to AAG, March 24, 26, 1881, *ibid*.

93. Thrapp, *Conquest*, pp. 212-216.

94. *Grant County Herald*, August 27, 1881, p. 3:4; Stephen H. Lekson, *Nana's Raid: Apache Warfare in Southern New Mexico, 1881* (El Paso: Texas Western Press, 1987), pp. 29-33.

95. Dudley to Carpenter, March 7, 1881, *Letters Sent*, Roll 1; George A. Forsyth, *The Story of a Soldier* (New York: D. Appleton and Company, 1900), pp. 141-143; Utley, *Frontier Regulars*, p. 87.

96. Post Adjutant to Carpenter, January 13, March 15, 1882, *Letters Sent*, Roll 1.

97. Morris Bien to General Land Office Commissioner (Washington, October 3, 1894), Las Cruces BLM, Fort Cummings File, p. 4-4; Forsyth to Stern, December 5, 1881, *Letters Sent*, Roll 1.

98. Forsyth to Stern, January 4, 10, 1882, *ibid*.

99. Post Adjutant to AAAG, February 13, 1882, *ibid*.

100. John Philip Wilson (ab.), *Fort Cummings, New Mexico - Abstract of Monthly Post Returns October 1869 - September 1886* (Santa Fe: Museum of New Mexico, 1970), p. 5, from the post annual inspection report.

101. George A. Forsyth, *Thrilling Days in Army Life* (New York: Harper & Brothers, 1900), pp. 84-119; Paul Iselin Wellman, *Death in the Desert: The Fifty Years' War for the Great Southwest* (New York: The Macmillan Company, 1935), pp. 207-217.

102. Philip J. Rasch, "The Rustler War," *New Mexico Historical Review*, Vol. 39 (Oct., 1964), pp. 258-268.

103. Forsyth to Lawton, September 7, Forsyth to Brockman, September 12, Forsyth to Hafner, September 12, Forsyth to Magnir, September 17, Forsyth to Bradley, November 22, 1882, *Letters Sent, Fort Cummings, Post Records, Record Group 393, National Archives* (Microfilm copy at Rio Grande Historical Collection, New Mexico State University, Roll 2), (hereafter cited as *Letters Sent*, Roll 2).

104. Caldwell, *Last Retreat*, p. 86.

105. Forsyth to AAG, January 5, Forsyth to Commissioner of Agriculture, January 11, 1883, *Letters Sent*, Roll 2.

106. Roscoe G. Willson, *Pioneer and Well Known Cattleman of Arizona* (Phoenix: McGrew Commercial Printery, 1956), p. 58.

107. Cora Viola Slaughter, "Texas-Arizona Cattle Drives," Slaughter Papers, (no date), Arizona Historical Society, Tucson, pp. 22-23.

108. Wilson, *Post Returns*, pp. 81-83.

109. Overton to AAG, July 18, Wilcox to AAG, July 23, 1884, *Letters Sent*, Roll 2.

110. Wilson, *Post Returns*, pp. 84-87; Lee Myers, "Military Establishments in Southwestern New Mexico: Stepping Stones to Settlement," *New Mexico Historical Review*, Vol. 43 (Jan., 1968), p. 39.

111. Wilson, *Post Returns*, p. 88.

112. Several explanations are possible for this. The men were primarily experienced with placer mining for precious metals and may not have conceived mineral deposits high up on the mountain. Or perhaps they did learn of the lead deposits and did not consider it worth the manpower and development work necessary to freight the ore to market. And, under any circumstances, the Apaches would still have to be dealt with.

113. Fayette Alexander Jones, *New Mexico Mines and Minerals* (Santa Fe: The New Mexico Printing Company, 1904), p. 181 (hereafter cited as Jones, *Mines and Minerals*).

114. *Grant County Herald*, January 6, 1877, p. 1:4. *Deming Graphic*, June 17, 1903, p. 1:1. Irington's name was also recorded by various sources as Iriton and Ireton. There was a conflict in available sources here as the Montezuma ownership was later credited to Taylor and Wheeler. Perhaps Orr and Irington sold out.

115. Thomas Matthouse Pearce assisted by Ina Sizer Cassidy and Helen S. Pearce (eds.), *New Mexico Place Names* (Albuquerque: University of New Mexico Press, 1965), p. 66.

116. *Grant County Herald*, February 20, 1876, p. 4:3.

117. *Ibid.*, September 9, 1876, p. 3:2.

118. *Grant County Herald*, January 6, 1877, p. 1:4. The lack of a nearby railroad continued to hamper the development of the highly concentrated lead ores until 1881 because of the overwhelming logistical problem of shipping.

119. *Ibid.*, January 13, 1877, p. 1:4, February 8, 1879, p. 3:2; Jones, *Mines and Minerals*, p. 182.

120. Todsen, Letter to the Author; *Deming Herald*, April 23, 1901, p. 1:1; Sharman Apt Russell, "Cooke's Peak," *New Mexico*, Vol. 66 (March, 1988), pp. 43-47. Throughout this effort the name used for the community will be Cooks. Contemporaneous documents refer to Cook's Peak and Cook's Peak Mining District and universally call the community Cooks, as did the United States Post Office. In more recent years, historians, led by people such as Dr. Myra Ellen Jenkins, have successfully restored the "e" to Cooke's Peak, Cooke's Canyon, and Cooke's Spring. However, contrary to Russell's presentation, the community was initially named Cooks (however mistakenly) and was never called Cooke's, or Cookes, and certainly not Cooke's Peak.

121. *Grant County Herald*, June 16, 1877, p. 3:2, June 30, 1877, p. 3:4.

122. *Grant County Herald*, January 17, 1880, p. 3:4; James A. McKenna, *Black Range Tales* (Chicago: The Rio Grande Press, Inc., 1965), pp. 190-193 (hereafter cited as McKenna, *Tales*). This is one of the few instances in which McKenna's tales are substantiated by another source. However, McKenna embellishes the story by offering that Victorio was either wounded or killed in the engagement and that Baxter was assassinated later, by Apache escapees from the San Carlos reservation, for having revealed to them his alleged role in the affair.

123. *Deming Graphic*, June 17, 1903, p. 1:3.

124. Henry Louis Jicha, Jr., *Geology and Mineral Deposits of Lake Valley Quadrangle, Grant, Luna and Sierra Counties, New Mexico* (Socorro: State Bureau of Mines and Mineral Resources, New Mexico Institute of Mining & Technology, Campus Station, 1954), p. 66 (hereafter cited as Jicha, Jr., *Geology*); Patricia F. Meleski, *Echoes of the Past* (Albuquerque: University of New Mexico Press, 1972), p. 172. Taylor and Wheeler sold the Desdemona and Othello to J. K. Gooding and Giles O. Pierce in 1882, who sold out to the Consolidated Kansas Smelting and Refining Company, which in turn sold the property to the American Smelting and Refining Company (ASARCO).

125. Hadley Draw was named for Walter Hadley, one of the early Cooke's Peak miners, and father of Hiram Hadley, first president of present-day New Mexico State University.

126. Jones, *Mines and Minerals*, p. 181-182; Ralph Emerson Twitchell, *The Leading Facts of New Mexico History*, Vol. 3 (Cedar Rapids, Iowa: The Torch Press, 1917), p. 315. The Fort Cummings microfilm records, *Letters Sent*, Roll 2, fail to support this oft stated stipulation.

127. *Black Range*, October 6, 1882, p. 1:5.

128. LaPorta, *Luna County*, p. 97.

129. George B. Griswold, *Mineral Deposits of Luna County, New Mexico* (Socorro: State Bureau of Mines and Mineral Resources, New Mexico Institute of Mining & Technology, Campus Station, 1961), p. 94. Jose was only active until about 1905 according to John Philip Wilson, "Jose," *Antiquities Site Inventory* (Las Cruces: Bureau of Land Management, August 27, 1975), p. 1. Indeed, it did not merit its own post office, according to Todsen, Letter to the Author, until Samuel E. Wood was appointed postmaster June 11, 1902. The facility lasted only until December 30, 1905, when the office was closed and the mail forwarded to Cooks.

130. Jicha, Jr., *Geology*, p. 66.

131. Elizabeth Hyatt, Note in Deming-Luna County Mimbres Museum Archives (February, 1985), p. 2 (hereafter cited as Hyatt, Note to Museum).

132. Jicha, Jr., *Geology*, p. 62. The cave's height was unrecorded.

133. Overton to Colegrove, July 11, 1884, *Letters Sent*, Roll 2.

134. Bureau of Census, New Mexico Territory, Special Census, 1885, Territorial Archives of New Mexico, Microfilm Roll No. 41, p. 73 (hereafter cited as Census, 1885).

135. *Black Range*, May 9, 1890, p. 2:1.

136. *Ibid.*, January 30, 1891, p. 3:2. William Moore was in charge of the Surprise Mine.

137. *Deming Headlight*, n.d., 1892, p. 6.

138. Todsen, Letter to the Author. The only postmistress, Janie Hitchins, was not appointed until September 26, 1908, and the post office functioned until 1916, after which the mail was forwarded to Nutt.

139. Jean LaPorta, *Luna County*, p. 97. Charles Poe died May 17, 1914, in Deming.

140. Michael Jenkinson, "Cook's Peak and the Bones of Sing Lee," *Frontier Times*, Vol. 44 (June-July, 1970), p. 15 (hereafter cited as Jenkinson, "Bones").

141. James E. Sherman and Barbara H. Sherman, *Ghost Towns and Mining Camps of New Mexico* (Norman: University of Oklahoma Press, 1975), p.

56 (hereafter cited as Sherman and Sherman, *Ghost Towns*).

142. One source, Jean LaPorta, *Luna County*, however, claimed that Harry Whitehill and other young men around Cooke's Peak used to go to Cooks for dances in the early 1890s. Another, Jenkinson, "Bones," p. 14, indicated the presence of a bawdy house run by a Miny Lucy. Although the presence of an establishment of this nature was highly probable, this remains unsubstantiated.

143. Victor Johnston, Personal Interview, March 29, 1988. His fields of specialty at New Mexico State University are psychopharmacology and neuropsychology.

144. McKenna, *Tales*, p. 242.

145. Todsen, Letter to the Author, p. 1.

146. *Deming Headlight*, March or April, 1888, n.p. The work may have been from a much earlier period. *Winners of the West*, November 30, 1935, p. 3:3, 4, indicated that soldiers stationed at Fort Cummings in the early 1880s found leg irons and a Spanish lance head, and parts of skeletons near an old mine work on the Mountain.

147. *Deming Headlight*, March or April, 1888, n.p.

148. *Albuquerque Tribune*, November 28, 1973, p. F-10:5. The Census, 1885, p. 73, listed Sam[uel] Carpenter and nine others at Fort Cummings but failed to include Stanley.

149. John Gregory Bourke, *On the Border with Crook* (Chicago: The Rio Grande Press, 1962), p. 435.

150. Eve Ball, Nora Henn, and Lynda Sanchez, *Indeh: An Apache Odyssey* (Salt Lake: Brigham Young University Press, 1980), p. 286.

151. Bruno J. Rolak, "General Miles' Mirrors - The Heliograph in the Geronimo Campaign of 1886," *The Journal of Arizona History*, Vol. 16 (Summer, 1975), pp. 148-149 (hereafter cited as Rolak, "Mirrors"); Nelson Appleton Miles, *Personal Recollections and Observations of General Nelson A. Miles Embracing a Brief View of the Civil War or From New England to the Golden Gate and the Story of His Indian Campaigns with Comments on the Exploration, Development and Progress of Our Great Western Empire* (Chicago: The Werner Company, 1896), p. 481 (hereafter cited as Miles, *Recollections*).

152. Edward Everett Dravo, *Heliograph Stations in New Mexico* January 26, 1887 (Archives, Fort Huachuca Museum, Arizona). This site should not be confused with the Dripping Springs, east of Las Cruces, in the Organ Mountains.

153. Wilson, *Post Returns*, pp. 89-90.

154. Miles, *Recollections*, p. 481.

155. Rolak, "Mirrors," pp. 151-156.

156. Wilson, *Post Returns*, pp. 88-90.

157. *Winners of the West*, November 30, 1935, p. 1. Green, contrary to many memoirs, remembered dates and names sufficiently to establish that he was correct when he stipulated that his detachment relieved the one commanded by Sixth Cavalry Captain Adna Romanza Chaffee that left in October.

158. From Todsen, Letter to the Author, it can be surmised that she was the postmistress, Mrs. O. C. Carpenter, who served from June 25, 1890, until July 17, 1891. Samuel had served as postmaster from his appointment until July 1887, when the post office was closed.

159. *Ibid.*; *Winners of the West*, November 30, 1935, p. 1.

160. Richard Bolles Paddock to AAG, Headquarters Department of Arizona, January 12, 1890, Archives, Fort Huachuca Museum, Arizona, p. 5; Henry Walter Hovey and Richard Bolles Paddock, *Reports of Concerted Reconnaissances for Short Line Connecting Bayard and Stanton Heliograph Divisions, N. M.*, January 5, 1890, (Archives: Fort Huachuaca Museum, Arizona), p. 3.

161. Todsen, Letter to the Author.

162. Charles Franklin Parker, "Signals in the Sun," *Arizona Highways*, Vol. 43 (June, 1967), pp. 36, 39; Rebecca Robbins, "Some Reflections on the Heliograph," *Periodical Journal of the Council on America's Military Past*, Vol. 12 (Aug., 1983), pp. 27-28.

163. Redfield Proctor to President Benjamin Harrison, October 6, 1891, Las Cruces BLM, Fort Cummings File.

164. *Ibid.*; Benjamin Harrison, Executive Order, October 7, 1891, Las Cruces BLM, Fort Cummings File.

165. See, for example, Caldwell, *Last Retreat*, pp. 83-86.

166. Velva L. Melton, Letter to Author, August 29, 1988.

Chapter 8

End of an Era, 1893 Through World War II

Most of the exciting times in the Cooke's Peak area were over by 1890. The last raiding Apaches had been shipped, by train, to southeastern United States federal prisons, and most travel had shifted south to the new road that paralleled the Southern Pacific Railroad line. Mining around Cooke's Peak was the only activity of any significance because the military stationed at Fort Cummings, throughout the Indian Wars and during Geronimo's last wild fling at freedom, had departed.

The Community of Cooks played the majority role in the remaining story around Cooke's Peak. However, there were other significant events that took place nearby. Ranching developed and in a few years herds of cattle and goats surrounded the mountain. Two World Wars created the need for domestic flourite and manganese. Both these elements were found near Cooke's Peak.

The wars also brought the necessity to train young men to fight against new enemies. The water at the spring was important during the first war because the artillery units training at Camp Cody frequently conducted field exercises that used the old fort as a campground. During the second war, soldiers trained not on but over Fort Cummings. Bombardier trainees from the Deming Army Air Base used several simulated ground targets to hone their skills in the use of the new secret Norden bombsight.

Mining and Ranching Around Cooke's Peak

During the early and mid-1890s, Cooks continued to grow with only a temporary setback in 1893 caused partially by the silver depression. The area was so active that Hadley had its own post office from April 22, 1890, until May 13, 1895, with James Martin serving as the first of four postmasters. In 1897 Cooks apparently hit its apogee of production with 12 active mines shipping 20 tons of concentrated ore a day from Florida Station, at an estimated value of $600 per ton. Anglo miners earned $3 per day, but Mexican laborers drew only half that amount. There was also a daily stage and mail to Florida Station, a distance of 14 miles.[1]

It was also in 1897 that James Judson Hyatt moved to the Cooke's Peak area. He was born in Mason County, Texas, and his family had moved to the vicinity of present day Cloudcroft, New Mexico, in 1882.[2] Hyatt attended New Mexico State University at Las Cruces in his mid and late teens and partially offset his room, board, and tuition costs by taking care of Professor Hiram Hadley's team and buggy and by driving the rig for him. He married Emma Holden in 1895, and in March 1897, they moved to a ranch northwest of Cooke's Peak.

Although Hyatt later built a cabin for his wife and infant son, Harry Shipley Hyatt, their first home was a simple dugout.[3] This ranch was the first acquisition in the slow but steady process by which the Hyatt family, two generations later, in the early 1950s, through the lineage of James Judson's brother, Able Thomas, eventually encircled the mountain with their holdings. Two years after moving to the Cooke's Peak area, James Judson's and Emma's second son, Calab Judson "Bill" Hyatt, was born at Mule Draw near Cooks.[4]

By 1889 Upton Elwood McDaniel had already moved to Cooks, established a grocery store and saloon, and was operating the post office. On November 28, 1889, he married 30-year-old Winnie Ann Lee George (Figure 61), allegedly a distant cousin of Robert E. Lee. She had been previously married to William George in Missouri and had three children, Riley, James, and Lula, before divorcing him in 1886. Using two oxen and a covered wagon, she moved herself and her three children from Llano (or Brownwood), Texas, to Deming in 1887 and thence to Cooks. Her first daughter by McDaniel, Myrtle "Mertie", was born at Cooks on September 26, 1890. Mertie was born with a crippled foot, and Newton Bolich of Deming fashioned

special shoes for her. Other daughters were Millie (1893) and Anna (1898). Two sons, born in 1895 and 1897, died as infants.[5]

Although a small woman physically, Winnie was apparently very tough and, especially for the time, quite aggressive. After establishing her home, boarding house, and restaurant at Cooks about 1890, she reportedly won wagers that she could load ore buckets just as fast as the men could. Winnie and her eldest son, Riley, provided a certain social spice and economic stability to the community.[6]

Riley George (he disdained using his first name Lawrence), was no less a character and entrepreneur than his mother. George had a small cabin (Figure 62) next to the only sweet-water spring high on the mountain, just below Cooks, and a string of 10 or 12 burros. He sold the spring water packed in 10-gallon casks that he strapped to either side of his animals (Figure 63).[7] He acquired several minor claims with the proceeds of his business but apparently never worked them. Instead he raised goats and cattle and peddled his spring water and firewood (Figure 64).

George reportedly did not get along well with some people and, in a shootout with the brothers Sam and Dink Tennel killed Sam and his horse. This was most likely Samuel Tinnell, a cowboy, who, by 1910, had married into the Gassaway family. In later years, George said he regretted killing the horse.[8] Supposedly he was a good shot, but Elizabeth Hyatt

Figure 61. McDaniel Family. Photo courtesy of the Deming-Luna Mimbres Museum.

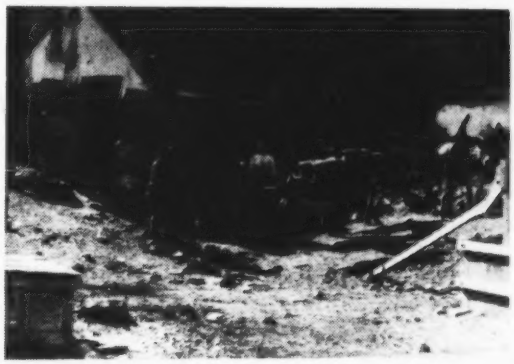


Figure 62. Riley George's Spring. Photo courtesy of the Deming-Luna Mimbres Museum.

Figure 63. Riley George and his burros with water kegs. Photo courtesy of the Deming-Luna Mimbres Museum.

Figure 64. Riley George and his burros with firewood. Photo courtesy of the Deming-Luna Mimbres Museum.

noted that she once saw him shoot three times at a coyote without hitting it.[9] Of course, a running coyote is a much more difficult target than a close-up man (and a horse).

George's quick resort to a gun to solve his problems later caused his family a great deal of anguish and landed him, at least temporarily, in serious trouble. By 1910, the McDaniel family had moved to Deming where Winnie continued her boarding house business. Just one week after their daughter Millie's wedding to Otis Goodman on February 2, 1912, McDaniel apparently came home late and drunk and began abusing Winnie. The "lively affray" ended suddenly when Riley George shot his step-father in the right side. McDaniel died the following day, and the temperance-oriented local newspaper laid the blame more on the ready availability of strong drink than on George. The jurists must have agreed with the editor, because later that year, on November 23, George was acquitted of the murder charge.[10] It is quite probable that George moved back to Cooks following the family tragedy, if indeed, he had permanently moved to Deming.

Despite George's proclivity toward incompatibility with the other residents of Cooks, he apparently got along well with Leedrue Benton Hyatt (Figure 65). One time when George's mother was ill and he needed money, he sold his X Bar-brand cattle to Hyatt. Hyatt kept the cattle, branded the calves, and when George had recovered financially, sold the stock back to him for the original amount.[11] George was reputed to have been the last person to leave Cooks when he moved to Deming in 1959 where he died in 1961 at the age of 84.[12] Hyatt's bond of friendship with George apparently paid off, because after George died, Hyatt bought his Cooke's Peak claims from George's half-sister, "Mertie" McDaniel Hewitt Moore, for $1,000.[13]

Figure 65. Leedrue and Elizabeth Hyatt. Photo courtesy of the Deming-Luna Mimbres Museum.

Thomas J. (or H.) Grover, the primogenitor of the Grover clan, homesteaded 160 acres close to the Graphic Mine in 1891 with one Brindle milk cow. He and his wife Luvinia eventually had six boys and six girls, including Charles Jefferson Grover, who was about three at the time of the move. Later, perhaps at least partially from sheer number, they would be one of the more prominent families at Cooks.[14]

At the base of the mountain, Morris Bien, a clerk from the General Land Office of the Department of the Interior, made a routine inspection of the spring on September 17, 1894. In his report to the commissioner, Bien noted that although another natural outlet had developed in the bed of the arroyo south of Cooke's Spring, the flow of water at the railroad siding was still measured at 360 gallons per hour.

Bien also noted that a stockman for the Carpenter Cattle Company was living in one of the run-down buildings (Figure 66) left on the military reservation after the soldiers departed. This man turned the water on and off to fill the troughs for the 500 head of cattle that grazed in the vicinity of the spring.

Bien made two recommendations. First, he suggested that the railroad be charged with continued maintenance of and security at the spring. Second, he indicated that, because the peak seasonal requirements for the railroad and the cattle were sufficiently different, a variable percentage agreement should be worked out so each party could benefit in their time of maximum need.[15]

Exactly a month after Bien's inspection at Cooke's Spring, Fort Bowie was closed. The Second Cavalry garrison of 118 men, with 9 women and children, rode out and boarded a train for Fort Logan, Colorado. Now both forts that had so successfully guarded the water sources and the road between the two facilities were closed, never to reopen.[16]

Just after the turn of the century, an event significant to New Mexico history changed the residence of record for the people of Cooks. Persons desiring to restructure New Mexico's political

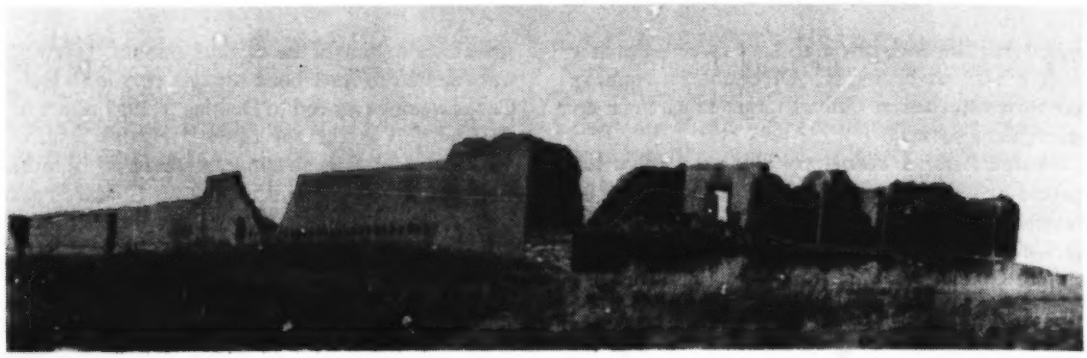


Figure 66. Fort Cummings - circa 1904. Photo courtesy of the Museum of New Mexico, #1836.

districts had tried unsuccessfully to create new counties and to separate the area containing Deming and Cooks from Grant County. Between 1888 and 1901, bills were introduced to create a new county, called at various times Logan or Florida. Finally on March 16, 1901, they succeeded, but the newly defined area was named Luna County for Solomon Luna, a dominant political figure at the time. Unfortunately, after deducting more than $13,000 in railroad bonds, the new county still owed its predecessor nearly $38,000.[17]

Soon there was new excitement, however, and Luna and Grant counties temporarily set aside their monetary differences.[18] From mid-April until June, rumors were rife that oil existed in economically recoverable quantities near the base of Cooke's Peak, and speculators quickly formed several companies and rushed to acquire leases and sell stock. Companies included the El Paso Oil and Coal Company, the Luna Oil Land Company, and the Luna County Oil Development Company. The rumors turned out to be just that, and about the only one to profit from the turmoil was Willard C. Wallis who surveyed some of the tracts for the prospective oil magnates.[19]

The railroads that had brought so much prosperity to Deming and Cooks continued to fulfill the function of the old road through Cooke's Canyon. On April 6, 1901, the Atchison, Topeka and Santa Fe Railroad Company advertised that for $25 an individual could ride from Deming to California. Two years later, the price increased to $35.[20]

The railroad did not benefit everyone. Previously it had eliminated scores of major and minor businesses, such as stage lines, freighting outfits, and small stores and hostelries, along the old road. Now it provided a new danger to the rancher. The rail line was not fenced, and cattle frequently strayed onto the tracks at the wrong time. Several cattlemen offered to build the fences, that they claimed the railroad was required to construct, if the company would furnish the materials. One man hired an extra cowboy for $30 a month to ride the tracks but still lost several head of cattle.[21]

Even though the initial heyday was over for Cooks, the community stabilized somewhat until about 1905. There was a mill (actually a dry concentrator) (Figure 67), post office, grocery store, saloon, and boarding house (including a restaurant) which, with private homes, totaled at least 30 semipermanent structures (Figure 68) on the eastern slope of the mountain.[22] In addition to the Poes, McDaniels, Grovers, Orrs, and other longer-time residents of Cooks, there also were, or soon would be, the Gassaways, Onstotts, and Ragsdales.[23]

Neither the property owners nor development investors were destined to make money from oil discoveries, but the activities at the mines, which had been tapering off for two or three years, revived and flourished through about 1905. A Mr. McDermott (probably W. C.) was shipping good ore from his lease of the Kansas City Company's property and employed 16 men to remove ore from his lease on the El Paso Company's claims.[24] Captain G. W. Magee (locally known as "Silver Peg") and partner T. A. Nagle had secured financial backing in the east and planned to sink a 300-foot shaft on their Bullsnake Mine.[25]

Other miners and leasees were recovering good quality surface ore and digging tunnels that encountered stringers, vugs, and caves of extremely rich ore. D. Bauman was having such success in the

Figure 67. Mine and mill at Cooks. Photo courtesy of the University of New Mexico General Library, Special Collections, Schmidt Collection.

Figure 68. Cooks business district and residents. Photo courtesy of the Deming-Luna Mimbres Museum.

old Graphic at Hadley that he arranged to lease McDaniel's ore concentrator and move it to the site.[26] Jasper (also known as Jap) Onstott, C. H. Tuckwood, and Charles H. Gearhart were among those extracting and shipping significant amounts of ore, some grading as high as 65 percent or better. Even 58-year-old Edward G. Orr was again active doing assessment work and getting some good indications. Not all was good news, however. The exploratory crosscut in the Cleveland Mine, owned by the Nagle brothers, was being contaminated by more water than their pump could handle, forcing a temporary shutdown.[27]

In 1902 and 1903 mining news continued to be mixed. The old Graphic Mine was soon reported to be played out and that a great deal of effort would be required to open it. However, production of the Faywood Lead Company, which bought its Jose property from Onstott, had increased, and they doubled the horsepower of their Hooper pneumatic-process concentrator so that it would have a capacity of 100 tons per day, yielding a product averaging an extremely high 72 percent. The Faywood Lead Company was most likely associated with Richard Faywood, of Faywood Hot Springs, who was reported visiting Cooks about April 1, 1904.[28] Also, after several months delay, the Cleveland pumps had finally cleared the mine, and work was proceeding.[29] After about a year, the old Graphic Mine was reopened by George and John Grover.[30] Further good news was indicated when the Luna Lead Company initiated efforts to construct a smelter at Deming, thereby reducing the shipping distance.[31]

An interesting phenomenon occurred frequently during tunnel development in the mines. Caves would be encountered that contained not only high-grade ore but beautiful formations as well. William Cotton reminisced about such a discovery:

> *We were sinking on a narrow stringer when we broke through into a broad open room perhaps 50 feet across and 12 feet high, . . . and in the center, as though it were the last dream of the gods, was a perfect tree rising from the floor of the cavern and extending to the roof, with limbs and foliage of the purest milky white and penciled as delicately as the fern and thrown over this, like a lovely bride, was a veil of the finest gossamer web; but so delicate was this child of the cavern that it could not stand the rude jostle of human work and the first view of it was the only one, . . . The first blast that was exploded after the room was opened crumbled it to dust and only the memory of it remains. . . .*[32]

A sufficient number of school age children (Figure 69) were at Cooks to warrant the establishment of an educational facility there. By 1910, the 72 students (23 percent of Cooks' population) included some that were the second generation to attend Cooks' school. School usually started in September and recessed in May. The children had one-week vacations for Thanksgiving and Easter and two weeks for Christmas. The only other holiday was Washington's Birthday.[33]

At the end of the school term in 1901, Miss Janie Robertsen organized commencement exercises that were held along with a social gathering. Three school directors were elected for the coming year, with Anson J. Burleson, Henry R. Nunn, and Upton E. McDaniel getting the nod. John E. Grover was declared defeated by the judges, even though he had as many votes. Grover, however, had been recently appointed Notary Public. He apparently replaced Judge Joseph Boone who, with his wife, would soon move to Santa Rita.[34]

There seemed to be a rapid turnover of schoolteachers at Cooks, probably because of the shortage of marriageable women. Miss Janie Robertsen, who had been the teacher in 1901, was replaced by 1903 by Miss Emma Wilson. Wilson would not last too long either. Within a two-week interval, the Deming newspaper noted that she went to Las Cruces for a visit of a week (during the school term) and married W. C. McDermott, also of Cooks, in El Paso before both returned home. Subsequently a new teacher, a Miss Norcop, was employed for the following term.[35] By 1910, at least one more new school teacher had taken over as the census recorded Bessie G. Quantrell as holding that job.[36]

Many of the community social functions were conducted at the schoolhouse. Mary Daisy Baker (who would later add Grover, Cain, and Gregg to her name) recalled that her mother, Nancy Ellen Baker, took her and her sister Malinda to the dances at the schoolhouse. People would come from as far away as Deming, Lake Valley, Las Cruces, Hatch, Hachita, and the settlements along the branches of the Mimbres River. The revelers pushed the school

Figure 69. School children at Cooks. Photo courtesy of the Deming-Luna Mimbres Museum.

furniture against the wall for room to dance and used the seats as temporary beds for the children when they could no longer stay awake. Mary recalled that her mother would dance until sunup, then go home and take care of her work before collapsing in sleep.[37]

Sometimes after dancing all night, the participants would climb the remaining distance to Cooke's Peak and enjoy the dawning of the new day together. Newton Bolich and a Miss Williams (Figure 70) were apparently one couple who indulged in this festivity.[38] Orphaned at an early age, Bolich had gained experience working in his oldest brother's shoe and leather factory in Pennsylvania prior to relocating in Deming in the early 1880s. He started a similar operation in this small southwestern New Mexico town and later expanded into a more complete mercantile business and became one of the leading citizens of the community. The identity of Miss Williams remains elusive, and she also eluded Bolich because he later married May Smith.[39]

Some of the functions held at the school were not only for entertainment but also for higher purposes. In 1902, a function was held Thanksgiving night to raise money for the Christmas tree fund. It was a gala celebration with one of the Nagle brothers (either Edward or Theobald) making taffy candy for the occasion. It was further set off by the performance of a marriage ceremony uniting Frank Nash and Mrs. Anabelle Tallous (or Tillous), both of Cooks. The nuptials were conducted by Judge McDaniel, who, with his wife, were celebrating their thirteenth anniversary.[40] Conceivably, the visit the previous fall of Mrs. R. O. Tallous and her family from Santa Rita to the Gassaway family of Cooks may have led to the budding romance and subsequent wedding.[41]

Of course, not all of the social events were held at the schoolhouse. About a dozen couples from Deming traveled to Cooks on a Saturday afternoon to attend the christening ball held at the new concentrator at the Silver Cave Mine, one of the Faywood Lead Company holdings. They were hosted by Phin Headrick and Bob Miller, and Mr. and Mrs. George Heberling served a grand supper. The dancers returned to Deming Sunday afternoon

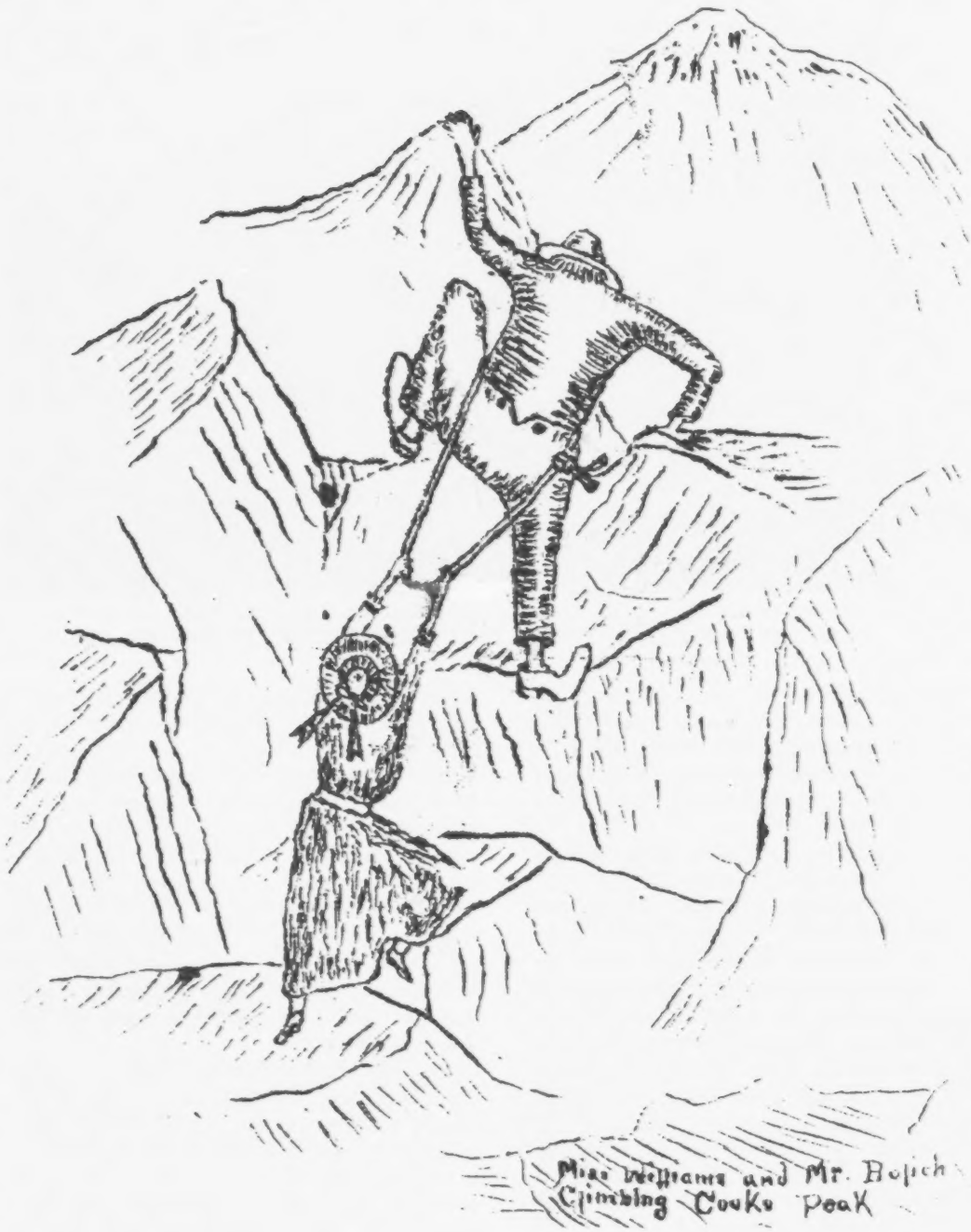


Figure 70. Climbing Cooke's Peak. From a handkerchief, courtesy of the Deming-Luna Mimbres Museum.

by way of Old Town (previously known as Mowry City) on the Mimbres "a little disfigured but still in the ring."[42]

Not all the entertainment was limited to socials and dances. In 1902, an election year, Cooks was stumped for votes, first by the Democratic candidates and the following week by the Republican aspirants.[43] During the summer of 1903, the little community received its only confirmed visits from the clergy. In May the Reverends Dr. Thomas Harwood, of Albuquerque, and Dionicio Costales, of Dyer, held joint services and preached, respectively, in English and Spanish to "a large and attentive audience."[44] Only three weeks later, a Mr. Yeager and his wife were at Cooks for a week of preaching, having stopped there in their travels about the country by wagon.[45]

Lighter entertainment was also to be had in Deming when the circus or other notable performers made a stop there. In the fall of 1901, the Deming newspaper noted that Cooks had sent a large delegation to the circus on the preceding Wednesday. The following year, responding perhaps to a three-column advertisement for "Buffalo Bill's Wild West and Congress of Rough Riders of the World Exhibition," all of the Grover boys went down to Deming from Cooks to marvel at the cowboys, Cossacks, Indians, Bedouins, and others perform their feats of daring horsemanship.[46]

Despite an obvious need for medical personnel at the mines, little information was available on this subject. In 1901 it was reported that Dr. W. W. Jones was seriously ill.[47] Although the outcome of the Doctor's ailment was not reported, it may not have been good, because a year later it was noted that Dr. Resford of Deming spent Friday and part of Saturday at Cooks on professional business.[48] Later there probably were no physicians at Cooks because Mary Grover, who was born at Cooks in 1906, indicated that her Grandma Grover (wife of T. J. Grover) was the only doctor at the camp. If anyone had a problem she could not cope with, that person had to go to Deming for further treatment. Mary claimed that she never saw a doctor, other than her grandmother, until she was 18-years old.[49]

Sometimes even a "real" doctor's expertise was not sufficient to the task encountered. Before Dr. Jones disappeared from the scene, he was called on to minister to George L. Lofton. The 37-year-old bachelor had been driving his team from Florida Station to his hay ranch when he was struck by lightning. He was found several hours later, prostrate in the wagon bed, and taken to Hadley. The bolt had struck Lofton on the head and traveled down his right arm and leg, magnetizing his pocket knife in the process. The eight-year resident of Cooks expired the following evening without regaining consciousness.[50]

George and Fred Grover inherited their mother's medicine chest and remained at Hadley for a number of years where they dispensed medical advice and potions to people in the area. In 1925 or 1926, Elizabeth Hyatt's son, Thomas Leedrue, was ill with an earache and exhibiting considerable distress. A visit to the Grovers resulted in the prescription to dissolve a little bit of badly dehydrated laudanum in a glass of water for Tommy to drink. Somehow, while Elizabeth was attending other chores, her son filled the laudanum bottle with water and drank it. Upon discovering this potentially fatal action, she used some ipecac, on hand at the ranch to break a dog from sucking eggs, to make Tommy vomit. Fortunately he recovered, and his heirs still ranch at the base of Cooke's Peak.[51]

Freighting by Albert Wallis remained integral to the mining at Cooks. In 1901, prior to another build up of production, he had reported to Deming that business was slow at Cooks, partially because the El Paso Smelter was purchasing less ore. However, he apparently did not sit and wait for business to pick up at the mines, because that fall he completed a big contract for the Bisbee and Deming Railroad. This probably saved him financially because he indicated that his freighting at Cooks at the time netted only about $20 a day.[52]

In the spring of 1903 a group of Mexican teamsters from Mimbres, hauling ore from Cooks to Florida Station, may have been either a part of Wallis's operation or that of another independent operator. Whoever was managing the freighting efforts, an unseasonable four-day June rainstorm rendered the road to Cooks impassable, and the teamsters had to leave their wagons on the road and walk home. By mid-July, however, not only was the road back in shape, but it was definitely Wallis's crews that were hauling the ore.[53]

A mail and express line to Cooks operated for at least certain periods during the town's existence. During more lucrative times, a stage operated by Brockou Mitchell carried passengers between

Cooks and Florida Station, 14 miles away, for a fare of $1.50. In October of 1901. there were plans to change the delivery of mail to Cooks from Florida Station to Faywood Hot Springs. No evidence was available to indicate that this change occurred.[54] However, in 1905, the daily mail delivery to Cooks from Florida, including rural delivery to people along the route, was changed to emanate from Nutt Station.

Apparently, at the same time, a Mr. Allsop (probably Robert L.) lost the contract, and Wallis acquired it.[55] This contract probably fixes the time that a little six-stanza ditty titled "The Road to Cook's Peak" was penned by an unknown author. The last stanza mentions the "Wallis stage route" and specifies only a two-mule team, so it could not have been more than a mail hack or express wagon.[56] The stage line either continued on northeast from Florida Station, parallel to the railroad, or a separate stage operated between Cooks and Nutt Station over the new mail route road.

On August 14, 1906, Guadalupe Apodoca, the stage driver on the Cooks-Nutt route shot and killed Juan Gallards for no apparent reason. He was held in the Deming jail for possible trial, depending on the outcome of the inquest.[57] Whatever the outcome, in 1910 Mitchell was still the only stage driver listed living in Cooks.[58] Later, sometime after 1916, George Henry King hauled the mail to Deming, but only for a short time as he left Cooks for Deming in 1920.[59]

Several residents in and around Cooks raised cattle or goats. Soon after Charles Gassaway married Mary Matilda Ragsdale Baker in the mid-1890s, they bought 3,000 Mohair (Angora) goats. Other Cooke's Peak area residents also raised goats and cattle, and the animals thrived on the grass of the mountain hillsides.[60] A letter sent to the Deming newspaper near the end of 1902 referred to the "vast herds of goats" around the base of Cooke's Peak.

The presence of these animals in the rugged hills lured predators. The Deming paper reported that Charles Pace shot two large bobcats that were raiding his goat pen, located near the post office, and that 15-year-old Charles Grover had trapped a full grown lynx in O.K. Canyon. Lacking a gun, Grover stoned the animal to death.[61] Grover's younger brother was not so fortunate later that year. James, who was 12-years old at the time, saw two large mountain lions, but they escaped as he was also weaponless.[62]

The wild animals around the Cooke's Peak foothills were not the only enemies of the goats and their owners. In late March or early April, 1905, flock owners had already sheared their goats when a sudden vicious storm dumped two feet of snow on the range. The Gassaways lost 600 animals and the Ragsdales 400.[63]

Various stores were operated at the mining camps during periods of significant activity. Unfortunately, little information was located regarding these establishments or their owners. In the spring of 1903, Joseph Hitchens started a mercantile business in Cooks, but by 1910, the only retail establishment recorded at Cooks was a grocery store run by Poe's wife, Ida.[64] The elder Mrs. Grover ran a grocery store at the Graphic Mine after moving there in 1891. She was still running the store in the summer of 1903 with the help of her daughter Ruth. Later, in about 1914, she started a similar business at Cooks.[65]

As happened with many mining camps, the fortunes of Cooks petered out and were reborn, Phoenix-like, several times. These rollercoaster periods of prosperity and economic starvation were keyed to the market price for ore rather than its current availability. Cooks was not born in a rush or a hurrah as were so many communities based on more precious metals. Likewise, Cooks did not die a sudden or violent death, as had so many previous mining or single economy towns, but rather expired with a sigh and a whimper. The miners drifted away from the ancient mountain, honeycombed with their efforts, after feeding off its riches in a calculated mode of self-destruction by removing the retrievable ores and by ingesting the toxic mineral.

After 1905, large scale production at Cooks again fell off drastically because the easily accessible high-grade ores had been exhausted. Up to 1905, mine production remained mixed but active. However, in 1906 ore shipments lagged so badly that Wallis again sought outside resources and secured a construction contract to extend the railroad bed south from Guaymas, Mexico, along the coast.[66] By June the Luna Lead Company smelter in Deming closed and the manager left for Mexico to attempt the purchase of ore there. He apparently had some success because the president and general manager from New York, R. E. Powell, indicated four months later that the smelter was preparing to resume operation in a day or two.[67]

Up to this time, the value of the total production of the district was about $3 milion. The ASARCO holdings alone, consisting of the Desdemona, Othello, and Monte Cristo, had produced two-thirds of this, the Graphic group at Hadley produced $450,000, the Summit group $350,000, and all the others combined, $200,000.[68] There was little production after about 1911 until H. E. McCray of Deming reopened the area in 1951.

The World Wars' Impact

Although fluorite mining a few miles west of Cooke's Peak began prior to the First World War, the increased requirement for steel production had a significant impact on the industry. The low ridge west of the western entrance to Cooke's Canyon produced the ore necessary for quality steel production in 1909. The production of the mines there helped keep the United States from depending on foreign imports. Prospecting for manganese was also conducted, but no economically viable deposits were found nearer than the Florida Mountains.[69]

Also prior to the First World War, New Mexico finally achieved the status for which it had fought for so many years. On January 6, 1912, President William Howard Taft proclaimed the admission of New Mexico as a state. Arizona was the only state of the contiguous 48 to ascend to statehood following New Mexico.

After the United States declared war on April 6, 1917, the government established 32 training camps. Deming was selected as one of the sites, and before long construction was initiated on the 2,000-acre facility. The installation was named Camp Cody in honor of Buffalo Bill Cody, and soon National Guardsmen from Iowa, Minnesota, Nebraska, and North and South Dakota rode the trains to Deming. The 30,000 men who trained here were denoted as the Thirty-Fourth (or Sandstorm) Division. In their 1,200 mess halls they consumed 10,000 loaves of bread every day, and used 2 million gallons of Deming's excellent water in the same period.[70]

Part of the Sandstorm Division's training included marches across the desert and bivouacs at places such as Cooke's Spring. And, when they were in the field, the men needed water.[71] This requirement probably led to another government inspection of Cooke's Spring. There had been a three-way conflict over the use of the water between two ranchers and the railroad. In 1895, Walter H. Jones, the rancher at the spring, put down a well and installed a windmill.[72] When there was insufficient water for his cattle from this well he would put a portable pump in the spring house and used the water to the detriment of another rancher, James G. Kerr, and the railroad. To forestall Jones' use of the spring, the railroad locked the door on the springhouse.

Unfortunately, this security measure required the military to go to Florida Station whenever they wanted to use the water at the spring, a round trip of 10 miles, and then return the key, another 10 miles. The government dispatched B. H. Gibbs of the General Land Office to straighten out the problem. Jones had long since departed for California having sold out to E. M. Pride, who was unaware of the impending problem with the government.

Gibbs made his inspection and several recommendations. As a result, the lock was removed from the spring house, the railroad was admonished to live up to its agreement to keep the spring cleaned, and both cattlemen were cautioned about using more than the public's share of the water.[73]

When massive Camp Cody closed, Deming's economy was devastated. The impact, although on a much larger scale, was similar to that which Samuel Lyons experienced at Cooke's Spring when the railroad was established and the soldiers left Fort Cummings.

Five years after Camp Cody closed, veterans who had fought the Indians in the Southwest were also bitterly disappointed. On May 3, 1924, President Calvin Coolidge vetoed the Indian Wars Pension Bill (the Bursum Bill), which would have provided these veterans with a small monthly income. The Senate, with 15 members absent, failed to override the President's veto by 1 vote.[74]

During the Second World War, Deming was again the designated location for a training base. This time, the Deming Army Air Base was established east of town to train young airmen in the use of the secret Norden bombsight. The trainees were processed in groups of 500 every 6 weeks, and they flew their missions in the 150 AT-11 Beechcraft trainers, designated the Kansan, each armed with up to 10 practice bombs.

The missions were flown against 24 large simulated ground targets (Figure 71), some of which were located close to old Fort Cummings. The men

bombed the targets with 100-pound dummy ordnance (containing 5 pounds of explosive and 95 pounds of flour for a "marker") from 8,000 to 10,000 feet above the ground. During the training only a few men and aircraft were lost to accidents. One night a trainee fell out of the bomb bay while reaching for his flashlight. The surprised cadet parachuted safely and walked into camp the next day.[75]

In 1951 McCray removed sufficient amounts of lower grade ore, averaging from 25 to 45 percent combined lead and zinc with traces of copper, silver, and gold, to make his effort viable. However, Cooks never again existed as a community. In 1951 McCray's efforts produced 228 tons of lead, 247 tons of zinc, 3 tons of copper, nearly 3,000 ounces of silver, and 10 ounces of gold. In 1952, these figures dropped by about 60 percent to 95 tons, 94 tons, 1 ton, 1,200 ounces, and 3 ounces, respectively. In 1953, only 2 tons of lead and 19 ounces of silver were produced.[76] Mining at Cooke's Peak again ceased.

The brief, clamorous efforts of man and machine were once again stilled, and the solitude of the mountain and the graveyard were disturbed only by the ranchers and their cattle. The edifices that had sheltered the people at Cooks, Jose, and Hadley continued to deteriorate and, like Fort Cummings, once again melt back into the mountainside. Today little except rock foundations, collapsing tunnels, and dangerous vertical vent shafts remain to mark where men and women struggled against odds, raised and educated their children, and occasionally danced the night away before they ascended the peak to watch the glorious sunrise together.

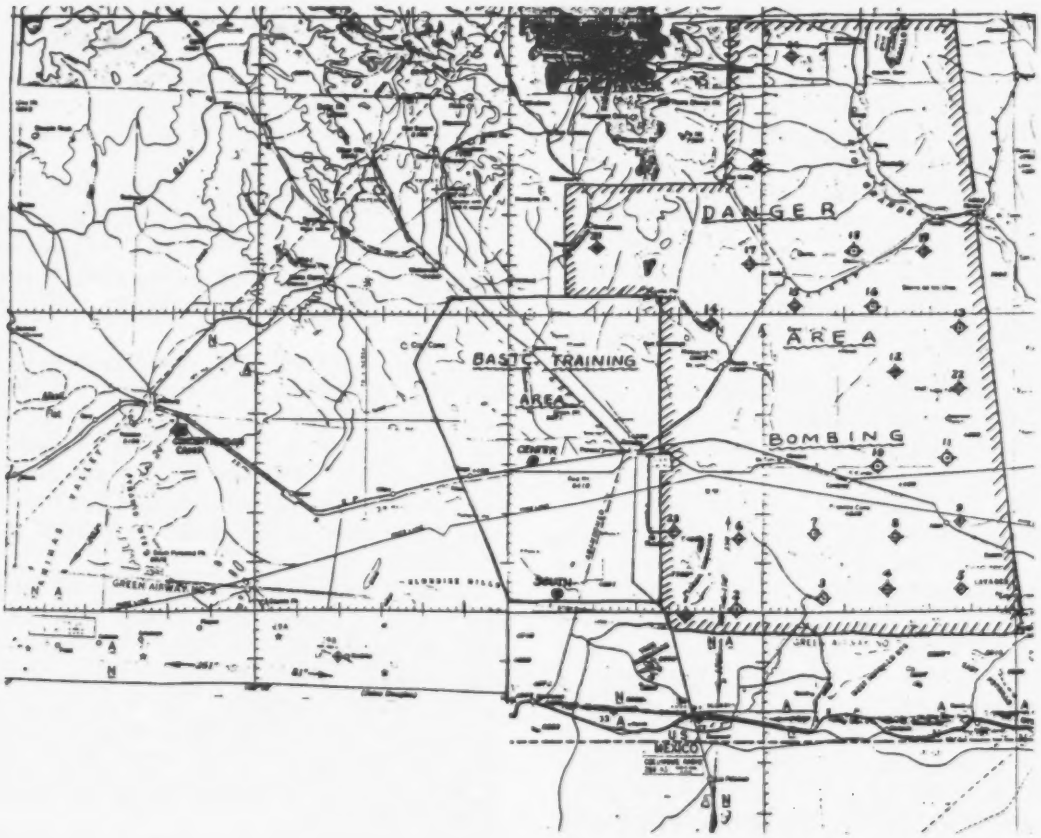


Figure 71. Ground targets for bombardier training. Map courtesy of Bombardiers Inc., Eagle Harbor, Minnesota.

Endnotes - Chapter 8

1. C. A. Carrath (comp.), *Business Directory of Arizona and New Mexico for 1897* (Las Vegas, New Mexico: Daily Examiner Printing & Binding Establishment, 1897), p. 110. This source also claimed that, at this peak, there were 100 people living at Cooks. This can hardly be accurate because the Bureau of the Census, Federal Census Population Schedules, Twelfth Census (1900): New Mexico, Micro-copy No. T623, Roll No. 1000 (hereafter cited as Census, 1900), lists at least 230, not counting the ranchers and freighters and their families. However the statement by the McDaniel sisters in the *Deming Graphic*, October 31, 1968, p. 1B, that there were 1000 men working at the mines would seem perhaps excessive. They also claimed that the non-Anglo laborers were Indians from Mexico who carried the ore from the mines using bags and tumplines.

2. In some family histories the move is reported as having taken place in 1884.

3. Virginia Measday and George Pete Measday (eds.), *History of Luna County, New Mexico - Supplement 1* (Deming: The Luna County Historical Society, Inc., 1982), pp. 14-15 (hereafter cited as Measday and Measday, *Supplement*).

4. Jean LaPorta (ed.), *History of Luna County* (Deming: Luna County Historical Society, Inc., 1978) p. 90 (hereafter cited as LaPorta, *Luna County*).

5. *Deming Herald*, December 2, 1902, p. 1:2; Jean LaPorta, *Luna County*, p. 93; Census, 1900.

6. Elizabeth Hyatt, Note in Deming-Luna County Mimbres Museum Archives, (February 1985) p. 3 (hereafter cited as Hyatt, Note to Museum); Elizabeth Hyatt, "Riley George," Deming-Luna County Mimbres Museum Archives, (October 1987), p. 1 (hereafter cited as Hyatt, "Riley George"); *Deming Graphic*, October 28, 1968, p. 5:3.

7. It is not known whether George's spring (denoted on present day maps as Riley Spring) was contaminated with the lead oxides so prevalent in and around Cooks.

8. LaPorta, *Luna County*, pp. 88-89; Bureau of the Census, Federal Census Population Schedules, Thirteenth Census (1910): New Mexico, Micro-copy No. T624, Roll No. 915 (hereafter cited as Census, 1910). Tinnell's older brother's given name was Alanzo.

9. Hyatt, Note to Museum, p. 3; Hyatt, "Riley George," p. 1; Census, 1910. Elizabeth Riley Hyatt married Leedrue Benton Hyatt, grandson of the family patriarch of Cooke's Peak, and currently resides in Deming, New Mexico.

10. *Deming Graphic*, January 19, 1912, p. 3:1, February 2, 1912, p. 3:1; *Deming Headlight*, February 9, 1912, p. 2:1, February 16, p. 1:1; Judicial District Court, Luna County, Entry No. 457 (November 23, 1912), p. 230; Jean LaPorta, *Luna County*, p. 93. Winnie McDaniel survived until July 10, 1942.

11. Hyatt, "Riley George," p. 1. It is not clear whether Hyatt placed his own brand or George's X Bar on the calves, but it would probably be safe to assume the former.

12. *Deming Graphic*, October 31, 1968, p. 3B; LaPorta, *Luna County*, p. 89.

13. Hyatt, "Riley George," p. 1.

14. Measday and Measday, *Supplement*, pp. 13-14; *Deming Herald*, March 10, 1903, 1:3; *Deming Graphic*, June 17, p. 8:3, November 18, 1903, p. 8:2. Other identified children included sons John E., George L. (or S.), Fred I., James M., and Tommy, and daughters Ruth and Hattie.

15. Morris Bien, Letter to the General Land Office Commissioner, Las Cruces BLM, Fort Cummings File, October 3, 1894.

16. National Park Service, *Trail Guide to Fort Bowie, Fort Bowie National Historic Site* (Tucson: Southwest Parks and Monuments Association, 1987), p. 23; Robert Marshall Utley, *A Clash of Cultures: Fort Bowie and the Chiricahua Apaches* (Washington: National Park Service, 1977), p. 83.

17. Thomas Matthouse Pearce assisted by Ina Sizer Cassidy and Helen S. Pearce (eds.), *New Mexico Place Names* (Albuquerque: University of New Mexico Press, 1965), p. 94; Works Projects Administration, *Inventory of the County Archives of New Mexico - No. 15 Luna County (Deming)* (Albuquerque: The New Mexico Historical Records Survey, 1942), pp. 3, 5.

18. *Ibid.*, p. 5. It was not until 1915 that the Luna County commissioners agreed to pay Grant County six percent annual interest on the debt until bonds could be issued to settle the obligation.

19. See, for example, *Deming Herald*, April 16, 1901, p. 1:1, April 23, p. 1:1, April 30, p. 1:3, 6, May 14, p. 1:1; *Deming Headlight*, June 8, p. 6.

20. *Deming Headlight*, April 6, 1901, May 9, 1903.

21. *Deming Graphic*, June 17, 1903, p. 1:1-5.

22. *Deming Graphic*, October 3, 1968, p. 1B; Deming-Luna County Mimbres Museum, Photographs of Cooke's (General Archives, 1890s-1905); Deming-Luna County Mimbres Museum, Map of Cooks (General Archives, 1891), depicted in part as Figure 53.

23. Gassaway was also found recorded as Gassoway and Gossoway, and Onstott was sometimes spelled Onstot or Onstadt.

24. *Deming Herald*, June 11, 1901, p. 1:3.

25. *Ibid.*, May 21, 1901, p. 1:1. This is the first hard evidence of major shaft work.

26. *Ibid.*, September 24, 1901, p. 1:1.

27. *Ibid.*, November 26, 1901, 1:1, December 10, 1901, p. 1:3, February 25, 1902, p. 1:2; *Deming Graphic*, January 6, 1904, p. 1:2. Apparently Orr was still there in 1904, because it was reported that his daughter Blanche had returned to school after spending the holidays at home.

28. *Deming Headlight*, March 8, 1902, p. 1:6; *Deming Herald*, December 30, 1902, p. 1:2; *Deming Graphic*, June 17, 1903, p. 1:3, April 6, 1904, p. 1:2; Fayette Alexander Jones, *New Mexico Mines and Minerals* (Santa Fe: The New Mexico Printing Company, 1904), p. 181.

29. *Deming Graphic*, May 27, 1903, 8:3.

30. *Ibid.*, September 9, 1903, p. 8:2.

31. *Ibid.*, August 16, 1904, p. 1:3.

32. *Ibid.*, June 17, 1903, p. 1:1.

33. Measday and Measday, *Supplement*, p. 13.

34. *Deming Herald*, June 11, 1901, p. 1:3, September 24, 1901, p. 1:1.

35. *Deming Graphic*, March 25, 1903, p. 1:4, April 8, 1903, p. 8:3, September 9, 1903, p. 8:2.

36. Census, 1910.

37. *Deming Graphic*, February 9, 1906, p. 8:1; Measday and Measday, *Supplement*, p. 14. This was probably after Nancy Ellen's first husband, Charles Jefferson Grover, left her in 1909 after four years of togetherness, and prior to her remarriage December 16, 1916, to George Henry King, because Mary was born in 1906 and Malinda in 1908.

38. Figure 70 is a reduced copy of an old worn handkerchief crudely stapled to a piece of cardboard; an unknown artist had produced the drawing in ink, or some other medium, that has faded to a rusty brown over the years. On May 10, 1988, a volunteer worker at the Deming-Luna Mimbres Museum in Deming showed the artifact to the author.

39. LaPorta, *Luna County*, pp. 86, 104.

40. *Deming Herald*, December 2, 1902, p. 1:2; Census, 1900.

41. *Ibid.*, September 10, 1901, p. 1:2.

42. *Ibid.*, August 12, 1902, p. 1:2.

43. *Ibid.*, October 28, 1902, p. 1:2.

44. *Deming Graphic*, May 27, 1903, p. 8:3.

45. *Ibid.*, June 17, 1903, p. 8:3.

46. *Deming Headlight*, September 28, 1901, p. 3:2; September 13, 1902, p. 1:3, 4, 5; *Deming Herald*, October 7, 1902, p. 1:2.

47. *Ibid.*, September 10, 1901, p. 1:2.

48. *Deming Headlight*, November 15, 1902, p. 3:3.

49. Measday and Measday, *Supplement*, p. 14.

50. *Deming Herald*, September 23, 1902, p. 1:2.

51. Elizabeth Hyatt, Personal Interview, May 10, 1988.

52. *Ibid.*, August 20, 1901, p. 1:2, October 8, 1901, p. 1:2.

53. *Deming Graphic*, March 25, 1903, p. 1:4, June 17, 1903, p. 8:3, July 29, 1903, p. 8:1.

54. *Deming Herald*, October 15, 1901, p. 1:2.

55. *Deming Graphic*, August 25, 1905, p. 8:2.

56. John A. Lomax and Alan Lomax (comp.), *Cowboy Songs and Other Frontier Ballads* (New York: The Macmillan Company, 1938), pp. 384-385.

57. *Deming Graphic*, August 19, 1906, p. 8:1.

58. Census, 1900.

59. Measday and Measday, *Supplement*, p. 13.

60. *Ibid.*

61. *Deming Herald*, December 23, 1902, p. 1:3, March 10, 1903, p. 1:2.

62. *Deming Graphic*, November 18, 1903, p. 8:2. On the other hand, perhaps James was very fortunate.

63. *Ibid.*, April 7, 1905, p. 8:2.

64. *Ibid.*, March 25, 1903, p. 1:4; Census, 1910.

65. Measday and Measday, *Supplement*, p. 13; *Deming Graphic*, June 17, 1903, p. 8:3.

66. *Ibid.*, February 6, 1906, p. 8:1.

67. *Ibid.*, June 15, 1906, p. 8:1, October 26, 1906, p. 8:2.

68. Patricia F. Meleski, *Echoes of the Past*, (Albu-

querque: University of New Mexico Press, 1972), p. 172.

69. George B. Griswold, *Mineral Deposits of Luna County, New Mexico* (Socorro: State Bureau of Mines and Mineral Resources, New Mexico Institute of Mining & Technology, Campus Station, 1961), pp. 95-96.

70. Measday and Measday, *Supplement*, p. 60.

71. Frank E. Welch, Letter to *New Mexico*, Vol. 15 (July, 1937), p. 6. In Harry Gunderson, Letter to the Author, February 1, 1988, Gunderson indicated that he had spent two weeks at Fort Cummings in 1918 while on Detached Service radio duty. Harry, though deaf, still plays the bugle at Fort Bayard every Memorial Day.

72. Actually, referring to John Philip Wilson (ab.), *Fort Cummings, New Mexico - Abstract of Monthly Post Returns October 1869 - September 1886* (Santa Fe: Museum of New Mexico, 1970), p. 20, this was probably the well put down in February 1868.

73. B. H. Gibbs, Report to Government Land Office Commissioner, May 23, 1917, Las Cruces BLM, Fort Cummings File.

74. *Winners of the West*, May 24, 1924.

75. Jim Lundy, Personal Interview, April 26, 1984. Lundy was in charge of 18 instructors at the Air Base. An on-site survey by the author disclosed heavy shrapnel fragments indicating that perhaps not all the bombs were dummies.

76. E. Viet Howard, *Metalliferous Occurrences in New Mexico* (Santa Fe: State Planning Office, 1967), pp. 63-64; Henry Louis Jicha, Jr., *Geology and Mineral Deposits of Lake Valley Quadrangle, Grant, Luna and Sierra Counties, New Mexico* (Socorro: State Bureau of Mines and Mineral Resources, New Mexico Institute of Mining & Technology, Campus Station, 1954), p. 64.

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Perhaps a word is necessary regarding the separation of some of the referenced documents into primary or secondary sources. Normally James A. McKenna's *Black Range Tales* would be included as a primary source. However, the questionability of his mainly second-hand material, and statements that conflict with verifiable sources, have resulted in its being relegated to a secondary status. The same is true for William Thorton Parker's *Annals of Old Fort Cummings New Mexico, 1867-1868.* Conversely, it would be normal to include the two Luna County History editions as secondary sources. Most of the material used in preparing this manuscript, however, was contributed by people relating their or their immediate families' experiences. Therefore, these two sources were upgraded to primary status. Unfortunately, some authors refuse to accept certain forms of records while blindly promoting others. Truth is truth, even if written in the low-tide sands, and lies are lies even though sworn to by a first hand ooserver and published in a normally reputable medium.

By comparing many primary accounts with the totality of information available, frequently a particular primary source appears inaccurate, especially if there is an opportunity to either stroke one's ego, bolster a political position, or justify some action taken. This problem is not confined to frontier characters recalling events of many years past, but is also painfully evident in newspaper reports and contemporaneous military official reports. The best primary sources seem to be left by parties uninterested in the particular event or outcome thereof and who are merely documenting the facts as they see them. If the observers are this detached, however, they probably did not record the event anyway. Therefore, most historical evidence by primary accounts must be filtered by comparison with other data, what is known of their basic veracity and emotional and/or political involvement in the issue, and of what facts the informant was privy to at the time (somewhat similar to Douglas Southall Freeman's "fog of war" concept).

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Appendix A

List of the Different Names Used for the Road

The following names were used at various times to denote the road that penetrated Cooke's Canyon. Some are quite dated and local but others were used nationally. In many instances, the words Road, Trail, or Route were applied interchangeably. Additional, but similar, names are noted parenthetically.

Butterfield Trail
California (Cattle) Trail
Cooke's Wagon Road
Destiny Road
El Dorado Trail
El Paso-Fort Yuma Road
Fort Yuma and Rio Grande Road
Franklin-(Fort) Yuma Road
Gila Trail
Great Southern Mail Road
Great Pacific Trail
Leach's Government (Wagon) Road
(Main) Emigrant Road to California
Mesilla-Tucson Road
Mormon Battalion Trail
Mormon Road
Overland Mail Company Route
Overland Trail
Ox-Bow Route
Rainbow Trail
San Antonio-San Diego Mail Route
Silver City and Arizona Road
Southern Indian Trail
Southern Emigrant Road
Southern Road to California
Southwestern Trail
Southern Wagon Road

Appendix B

Judge Benjamin Ignatius Hayes' List of Supplies for the Trip West

When Benjamin Ignatius Hayes left Independence, Missouri, for the gold fields of California on September 10, 1849, he made a list of the supplies he had assembled with the help of his family and a man identified as G. L. Hughes. In addition to the following list, Hayes had two mules for which he paid $40 for one and $60 for the other. He also had borrowed $50 cash from Hughes but had to borrow $5 more at the Yuma ferry crossing and another $5 before reaching Los Angeles.

Therefore, for this one frugal but reasonably well-prepared forty-niner to travel from Missouri to the California gold fields, it required an investment of more than $322 in addition to the several gifts he received from family and friends, including all of his initial supply of food.

Hayes had purchased a medicine kit and was supplied with a set of instructions regarding the use of the compounds from a Dr. Dabney. Although Hayes was never sick on the road, he used the detailed instructions from Dr. Dabney to administer aid to several companions who fell ill.

It is of interest to note that at the New River in California, according to Hayes, C. C. Cox's Fremont Association party had to borrow rations to enable them to complete their trek to the coast.

My Outfit for California

1 Coat and Pants (grey)	$8.55
Making same	8.00
1 Vest	2.25
1 Pair Pantaloons (blue)	3.37
Hat $3, Boots $3	6.00
2 Pair shoes	3.00
5 White shirts	7.00
6 Handkerchiefs	5.00
Dragoon overcoat	8.00
2 Pair Warm Mittens	1.00
1 Pair buckskin gloves	.50
Woolen caps for head given me by Dr. Dabney	
6 Pair Socks	1.50
3 Blankets	15.00
Buffalo robe (present)	
Oil-cloth	1.50
Making shirts	1.12 1/2
Pocket comb	.10
Tape	.10
Jones' bill	5.00
2 Razors	3.00
Saddlers awl and strong needles	.10
Sewing materials (a present from S.L.H.)	
2 Small looking glasses	.30
Spectacles	.25
Thread	.25
Needles	.10
11 Yards red flannel for Indians	6.60
16 Yards Calico, same	2.44
Tobacco	2.00
Wafers	.05
Notebook and Foolscrap paper square	1.25
Ink and Inkstand	.75
Ink powder	.15
Mealbag	.60
Tin box for medicine	$ .60
Medicine*	3.15
Fishing tackle	.(?)
Butcher knife	1.00
Large pocket knife	1.00
Hatchet	1.25
Belt for pistol	.50
Saddle for riding	15.00
Saddlebags	5.00
Spurs $1, lariat $1	2.00
Canteen 40 cts. strap for it 25 cts.	
Pack Saddle	3.00
Shotgun, double bbl.	18.50
Shot pouch	1.00
Repairing gun	.50
Powder horn (present)	
Allen's revolver	12.00
2 Pounds powder	1.00
2 Pounds buckshot	.25
Lead	.25
Precussion caps	.60
2 Tin cups, frying-pan, coffee pot (a present)	
Pepper box	.05
	$162.13 1/2
15 Pounds flour	
2 Pounds sugar	
2 Pounds rice	
25 Pounds middling	
1/4 Pound pepper	
1/2 Pound salt	
5 Pounds coffee	
1/4 Pound tea	
1 Peck pinole	
(All these from the house of G.L.H.)	

* The medicine consisted of calomel, opium, tartar emetic, Cook's Mixture, African cayenne, laudanum, quinine, camphor, spirits of hartshorn, and was accompanied by careful directions from Dr. Dabney on the use of each item.

Hayes did not account for the bacon, bread, and other food with which he started his journey.

Appendix C

Log of Distances on Overland Mail Routes

Table 4. Distances between the watering places of the San Antonio-San Diego Mail Route

Miles between points		Miles from San Antonio	Miles between points		Miles from San Antonio
0	San Antonio	0	10	Point of Rock	463
7	Leon River	7	9	Barrel Springs	472
18	Castroville	25	13	Deadman's Hole	485
25	D'Hanis (Saco River)	50	33	Van Horn's Wells	518
9	Rancho Creek	59	20	Eagle Springs	538
4	Sabinal Creek	63	31	First Camp on Rio Grande	569
5	Comanche Creek	68	35	Birchville	604
8	Rio Frio	76	25	San Elizario	629
6	Uvalde	82	6	Socorro	635
9	Nueces	91	3	Ysleta	638
11	Turkey Creek	102	14	El Paso	652
15	Elm Creek	117	22	Cottonwood	674
7	Fort Clark (Moras River)	124	22	Fort Fillmore	696
7	Piedro Pinto	131	6	La Mesilla	702
9	Maveric Creek	140	65	Cookes Spring	767
12	San Felipe	152	18	Rio Mimbres	785
10	First Crossing San Pedro River	162	17	Ojo de la Vaca	802
3	Painted Caves	165	10	Ojo de Ynez	812
16	Calf Springs	181	34	Peloncillo	846
2	Willow Springs	183	18	Rio Saur (San Domingo)	864
16	F.t Hudson 2nd crossing San Pedro R.	199	23	Apache Springs	887
20	Head of San Pedro River	219	9	Dos Cabesas	896
44	Howard Springs	263	26	Dragoon	922
30	Live Oak Creek	293	18	Mouth of Quercoa Canyon	940
3	Fort Lancaster	296	6	San Pedro Crossing	946
4	Pecos River Crossing	300	20	Cienga	966
6	Pecos Springs	306	13	Cienga Creek	979
32	Point of leaving Pecos River	338	20	Mission San Xavier	999
16	Aroyo Escondido	354	8	Tucson	1007
9	Escondido Springs	363	30	Charcos de los Pinos	1037
19	Comanche Springs	382	5	Picacho Mountain	1042
9	Leone Hole	391	35	First camp on the Gila River	1077
11	Hackleberry Pond	402	29	Maricopa Wells	1106
32	Limpia Creek	434	40	Tezotal (across El Jornada)	1146
19	Fort Davis	453	10	Ten Mile Camp	1156

Table 4. Continued

Miles between points		Miles from San Antonio
8	Murderer's Grave	1164
25	Oatman's Flat (Gila Crossing)	1179
25	Second Crossing of the Gila	1204
32	Peterman's Station	1236
20	Antelope Peak	1256
24	Little Corral	1280
16	Fort Yuma	1296
7	Pilot Knob	1303
13	Cooke's Wells	1316
22	Alamo Mucho	1338
21	Indian Wells	1359
32	Carrizo Creek	1391
18	Vallecito	1409
17	Lassator's Ranch	1426
7	Julian's	1433
7	Williams'	1440
14	Ames'	1454
16	Mission San Diego	1470
5	San Diego	1475

Table 5. Distance between the Stations of the Great (Southern) Overland Mail Route*

First Division

Miles between points		Miles from San Francisco
0	San Francisco	0
12	Clark's	12
9	San Mateo	21
9	Redwood Cith	30
12	Mountain View	42
11	San Jose	53
17	Seventeen Mile House	70
13	Gilroy	83
18	Pachero Pass	101
17	St. Louis Ranch	118
18	Lone Willow	136
13	Temple's Ranch	149
12	Firebaugh's Ferry	161
19	Fresno City	180
22	Elk Horn Springs	202
17	Whitmore's Ferry	219
12	Cross Creek	231
12	Visalia	24
12	Packwood	254
14	Tule River	269
14	Fountain Springs	283
12	Mountain House	295
15	Posey Creek	310
10	Gordon's Ferry	320
12	Kern River Slough	332
14	Sink of the Tejon	346
16	Fort Tejon	362
8	Reed's	370
14	French John's	384
24	Widow Smith's	408
10	King's	418
12	Hart's	430
8	San Fernando Mission	438
12	Cahuenga	450
12	Los Angeles	462
	Total for First Division	462

*Distances compiled from Post Office Special Agent G. Bailey's report to Postmaster General A. V. Brown and Brown's report to the Senate during the second session of the Thirty-Fifth Congress, Vol. 4, pp. 742-743.

Second Division

Miles between points		Miles from San Francisco
0	Los Angeles	462
13	El Monte	475
12	San Jose	487
12	Chino Ranch	499
20	Temescal	519
10	Laguna Grande	529
21	Temecula	550
14	Tejungo	564
12	Oak Grove	576
10	Warner's Ranch	586
16	San Felipe	602
18	Vallecito	620
9	Palm Springs	629
9	Carrizo Creek	638
32	Indian Wells	670
24	Alamo Mucho	694
22	Cooke's Wells	716
18	Pilot Knob	734
10	Fort Yuma	744
	Total for Second Division	282

Table 5. Continued

Third Division

Miles between points		Miles from San Francisco	Miles between points		Miles from San Francisco
0	Fort Yuma	744	20	Murderer's Grave	868
20	Swiveller's Ranch	764	17	Gila Ranch	885
18	Fillibuster Camp	782	40	Maricopa Wells	925
19	Peterman's	801	22	Sacaton	947
12	Griswell's	813	37	Picacho del Tucson	984
15	Flap-jack Ranch	828	22	Pointer Mountain	1006
20	Oatman Flat	848	18	Tucson	1024
				Total for Third Division	280

Fourth Division

Miles between points		Miles from San Francisco	Miles between points		Miles from San Francisco
0	Tucson	1024	14	Ojo de la Vaca	1237
35	Seneca Springs	1059	16	Mimbres River	1253
24	San Pedro River	1083	18	Cooke's Spring	1271
23	Dragoon Springs	1106	52	Picacho *	1323
40	Apache Pass	1146	14	Fort Fillmore *	1337
35	Stein's Peak	1181	25	Cottonwoods	1362
42	Soldiers Farewell	1223	22	Franklin (El Paso)	1384
				Total for Fourth Division	360

* The reason behind the failure to list Mesilla as a station between Picacho and Fort Fillmore is unknown.

Fifth Division

Miles between points		Miles from San Francisco	Miles between points		Miles from San Francisco
0	Franklin (El Paso)	1384	65	Emigrant Crossing	1635
30	Waco Tanks	1414	55	Horse Head Crossing	1690
36	Cornudas de los Alamosa	1450	70	Head of Concho River	1760
56	Pinery	1506	30	Camp Concho	1790
24	Delaware Springs	1530	22	Grape Creek	1812
40	Pope's Camp	1570	30	Fort Chadbourne	1842
				Total for Fifth Division	458

Table 5. Continued

Sixth Division

Miles between points		Miles from San Francisco	Miles between points		Miles from San Francisco
0	Fort Chadbourne	1842	19	Jackboro's	2108
12	Valley Creek	1854	16	Earheart's	2124
16	Mountain Pass	1870	16	Conolly's	2140
30	Phantom Hill	2000	24	Davidson's	2164
12	Smith's	2012	17	Gainsville	2181
26	Clear Fork	2038	15	Diamond's	2196
13	Franz's	2051	15	Sherman	2211
22	Fort Belknap	2073	13.5	Colbert's Ferry	2124.5
16	Murphy's	2089		Total for Sixth Division	282.5

Seventh Division

Miles between points		Miles from San Francisco	Miles between points		Miles from San Francisco
0	Colbert's Ferry	2124.5	17	Pusley's	2232.5
13	Fisher's	2137.5	16	Riddell's	2248.5
14	Nale's	2151.5	18	Holloway's	2266.5
17	Boggy Depot	2168.5	19	Trayon's	2285.5
16	Gary's	2184.5	16	Walkers	2301.5
15	Waddell's	2199.5	15	Fort Smith	2316.5
17	Blackburn's	2215.5		Total for Seventh Division 192	

Eighth Division

Miles between points		Miles from San Francisco	Miles between points		Miles from San Francisco
0	Fort Smith	2316.5	9	Evan's	2504.5
16	Woosley's	2332.5	11	Smith's	2515.5
12	Brodie's	2344.5	11.5	Bolivar	2527
20	Park's	2364.5	16	Yost's	2543
14	Fayetteville	2378.5	16	Quincy	2559
12	Fitzgerald's	2390.5	10	Bailey's	2569
22	Callaghan's	2412.5	11	Warsaw	2580
19	Harburn's	2431.5	15	Burn's	2595
16	Couch's	2447.5	20	Mulholland's	2615
15	Smith's	2462.5	13	Shackelford's	2628
20	Ashmore's	2482.5	7	Tipton	2635
13	Springfield	2495.5		Total for Eighth Division 318.5	

Table 5. Continued

Ninth Division

By railroad from Tipton to St. Louis	160 miles
Total distance from San Francisco to St. Louis	2,795 miles

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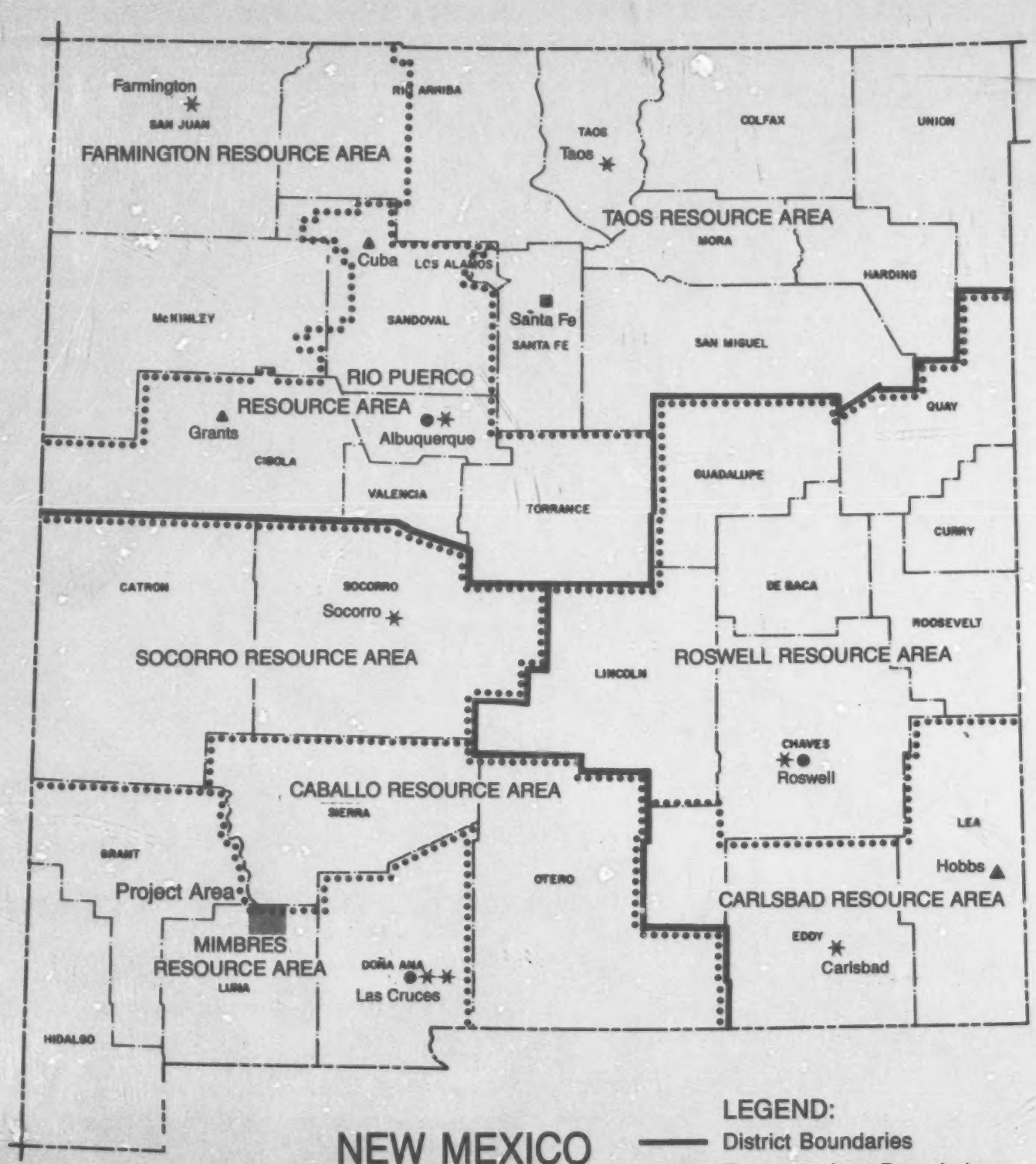

NEW MEXICO BUREAU OF LAND MANAGEMENT

LEGEND:

- District Boundaries
- Resource Area Boundaries
- State Office
- District Office
- Resource Area Office
- Satellite Office

ISBN-1-878178-08-3